

CHAPTER 185

(SB 221)

AN ACT relating to governmental actions, and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 6.905 is amended to read as follows:

- (1) There is created a Legislative Program Review and Investigations Committee which shall be a permanent standing committee of the General Assembly, consisting of eight (8) members of the Senate, six (6) of whom shall be appointed by the President and two (2) of whom shall be appointed by the Minority Leader of the Senate, and eight (8) members of the House of Representatives, six (6) of whom shall be appointed by the Speaker and two (2) of whom shall be appointed by the Minority Leader of the House of Representatives. At least one (1) appointee by each appointive authority shall be a member of the Senate or House Standing Committee on Appropriations and Revenue. The appointments shall be made within seven (7) legislative days of the end of each regular session of the General Assembly held in even-numbered years, and the members so appointed shall serve for a term of two (2) years coextensive with the biennium in which the appointment is made. Vacancies shall be filled within sixty (60) days of occurrence in the same manner as the original appointments, and for the balance of the term of the vacated member.
- (2) The *members appointed from each chamber shall elect one (1) member from their chamber to serve as co-chair*~~[committee shall select a chairman, cochairman, and other officers as it may deem necessary from among its membership. The chairman and cochairman shall be from different chambers of the General Assembly and shall serve a term of two (2) years; the chamber of origin for the chairman and cochairman shall alternate between the House of Representatives and the Senate].~~ *Co-chairs*~~[Officers]~~ shall be *elected*~~[selected]~~ at the first meeting of the committee following the end of the regular session in even-numbered years. *The co-chairs shall have joint responsibilities for committee meeting agendas and presiding at committee meetings. On an alternating basis, each co-chair shall have the first option to set the monthly meeting date. A monthly meeting may be canceled by agreement of both co-chairs.* A majority of the *entire membership of the Legislative Program Review and Investigations Committee* shall constitute a quorum, and all actions *of the committee shall be by vote of a majority of its entire membership*~~[authorizing a study, dropping a study, or adopting a final report on any subject under study shall require the affirmative vote of a majority of the full committee membership. All other actions of the committee may be undertaken by an affirmative vote of a majority of a quorum of the committee].~~
- (3) When a study is instituted, the committee shall request that the Legislative Research Commission appoint the *co-chairs and two (2) minority members from the interim joint committee of relevant jurisdiction to serve as nonvoting ex officio members of the committee in activities related to the relevant study. One (1) of the minority members shall be a member of the House of Representatives designated by the House Minority Floor Leader and the other minority member shall be a member of the Senate designated by the Senate Minority Floor Leader*~~[chairman and a ranking minority member, or their designees, of the committee of relevant jurisdiction to serve as nonvoting ex officio members of the committee in activities related to the relevant study. If the legislative committee that requested the study is a standing committee of one (1) of the houses of the~~

~~General Assembly, the minority leader of that house shall appoint the ranking minority member. If the legislative committee that requested the study is an interim joint committee of the Legislative Research Commission, the ranking minority member shall be:~~

- ~~(a) A minority party member of the House of Representatives appointed by the House Minority Leader, if the chairman of the interim joint committee is a member of the Senate; or~~
- ~~(b) A minority party member of the Senate appointed by the Senate Minority Leader, if the chairman of the interim joint committee is a member of the House of Representatives.}~~

- (4) Each regular and nonvoting ex officio member of the committee shall receive the same travel allowances and compensation for attending interim meetings of the committee as are received by members of subcommittees of the Legislative Research Commission under KRS 7.090(2).

Section 2. KRS 6.940 is amended to read as follows:

- (1) There is hereby established a Medicaid Managed Care Oversight Advisory Committee, *consisting of ten (10) members appointed as follows: four (4) members of the Senate appointed by the President of the Senate; one (1) member of the minority party in the Senate appointed by the Minority Floor Leader in the Senate; four (4) members of the House of Representatives appointed by the Speaker of the House of Representatives; and one (1) member of the minority party in the House of Representatives appointed by the Minority Floor Leader in the House of Representatives. Members appointed from each chamber shall elect one (1) member from their chamber to serve as co-chair. The co-chairs shall have joint responsibilities for committee meeting agendas and presiding at committee meetings*~~[five (5) Senate members of which shall be appointed by the Senate President and five (5) House of Representatives members of which shall be appointed by the Speaker of the House].~~ The committee shall meet at least four (4) times annually and shall provide oversight on the implementation of Medicaid managed care within the Commonwealth including access to services, utilization of services, quality of services, and cost containment.
- (2) *A majority of the entire membership of the Medicaid Managed Care Oversight Committee shall constitute a quorum, and all actions of the committee shall be by vote of a majority of its entire membership.*

Section 3. KRS 13A.020 is amended to read as follows:

- (1) There is hereby created a permanent subcommittee of the Legislative Research Commission to be known as the Administrative Regulation Review Subcommittee. The subcommittee shall be composed of *eight (8)*~~[seven (7)]~~ members *appointed as follows: three (3) members of the Senate appointed by the President; one (1) member of the minority party in the Senate appointed by the Minority Floor Leader in the Senate; three (3) members of the House of Representatives appointed by the Speaker of the House of Representatives; and one (1) member of the minority party in the House of Representatives appointed by the Minority Floor Leader in the House of Representatives.*~~[, no more than five (5) of whom shall be members of the same political party. The Legislative Research Commission shall appoint from the membership of the General Assembly.]~~ The members of the subcommittee *shall serve* for terms of two (2) years, and the members~~[so]~~ appointed *from each chamber* shall elect one (1) *member from their chamber*~~[of their number]~~ to serve as

co-chair~~[chairman]~~. Any vacancy which may occur in the membership of the subcommittee shall be filled by the *same appointing authority who made the original appointment*~~[Legislative Research Commission at its next regularly scheduled meeting after the occurrence of the vacancy]~~.

- (2) *On an alternating basis, each co-chair shall have the first option to set the monthly meeting date. A monthly meeting may be canceled by agreement of both co-chairs. The co-chairs shall have joint responsibilities for subcommittee meeting agendas and presiding at subcommittee meetings*~~[The subcommittee shall meet monthly at such time and place as the chairman may determine]~~. The members of the subcommittee shall be compensated for attending meetings, as provided in KRS 7.090(3)~~[(2)]~~.
- (3) Any professional, clerical or other employees required by the subcommittee shall be provided in accordance with the provisions of KRS 7.090(4) and (5).
- (4) *A majority of the entire membership of the Administrative Regulation Review Subcommittee shall constitute a quorum, and all actions of the subcommittee shall be by vote of a majority of its entire membership.*

Section 4. KRS 45.790 is amended to read as follows:

- (1) There is created a permanent subcommittee of the Legislative Research Commission to be known as the Capital Projects and Bond Oversight Committee. The subcommittee shall be composed of *eight (8)*~~[seven (7)]~~ members *appointed as follows: three (3) members of the Senate appointed by the President of the Senate; one (1) member of the minority party in the Senate appointed by the Minority Floor Leader in the Senate; three (3) members of the House of Representatives appointed by the Speaker of the House of Representatives; and one (1) member of the minority party in the House of Representatives appointed by the Minority Floor Leader in the House of Representatives.*~~[and shall include members of the House of Representatives and members of the Senate. The subcommittee shall include members of the minority party as nearly proportional to their membership in the General Assembly as mathematically possible. The Legislative Research Commission shall appoint, from the membership of the General Assembly.]~~ The members of the subcommittee *shall serve* for terms of two (2) years, *and*~~[,]~~ the members~~[, so]~~ appointed *from each chamber* shall elect one (1) *member from their chamber*~~[of their number]~~ to serve as *co-chair*~~[chairman]~~. Any vacancy which may occur in the membership of the subcommittee shall be filled by the *appointing authority who made the original appointment*~~[Legislative Research Commission at its next regularly scheduled meeting after the vacancy occurs]~~.
- (2) *On an alternating basis, each co-chair shall have the first option to set the monthly meeting date. A monthly meeting may be canceled by agreement of both co-chairs. The co-chairs shall have joint responsibilities for committee meeting agendas and presiding at committee meetings*~~[The subcommittee shall meet monthly, and may meet more frequently when necessary, at such time and place as the chairman may determine]~~. The members of the subcommittee shall be compensated for attending meetings as provided in KRS 7.090(3).
- (3) Any professional, clerical, or other employees required by the subcommittee shall be provided in accordance with KRS 7.090(4) and (5).
- (4) *A majority of the entire membership of the Capital Projects and Bond Oversight Committee shall constitute a quorum, and all actions of the subcommittee shall be by vote of a majority of its entire membership.*

Section 5. KRS 45A.705 is amended to read as follows:

- (1) There is hereby created a permanent committee of the Legislative Research Commission to be known as the Government Contract Review Committee. The committee shall be composed of *eight (8)*~~[seven (7)]~~ members ***appointed as follows: three (3) members of the Senate appointed by the President of the Senate; one (1) member of the minority party in the Senate appointed by the Minority Floor Leader in the Senate; three (3) members of the House of Representatives appointed by the Speaker of the House of Representatives; and one (1) member of the minority party in the House of Representatives appointed by the Minority Floor Leader in the House of Representatives. Members shall serve***~~[that shall include members of the minority party as nearly proportioned to their membership in the General Assembly as mathematically possible. The Legislative Research Commission shall appoint the members of the committee from the membership of the General Assembly]~~ for terms of two (2) years, and the members~~[se]~~ appointed ***from each chamber*** shall elect one (1) ***member from their chamber***~~[of their number]~~ to serve as ***co-chair***~~[chairperson]~~. Any vacancy that may occur in the membership of the committee shall be filled by the ***appointing authority who made the original appointment***~~[Legislative Research Commission at its next regularly scheduled meeting after the occurrence of the vacancy]~~.
- (2) ***On an alternating basis, each co-chair shall have the first option to set the monthly meeting date. A monthly meeting may be canceled by agreement of both co-chairs***~~[The committee shall meet monthly at the time and place as the chairperson may determine]~~. ***The co-chairs shall have joint responsibilities for committee meeting agendas and presiding at committee meetings. A majority of the entire membership of the Government Contract Review Committee shall constitute a quorum, and all actions of the committee shall be by vote of a majority of its entire membership***~~[a quorum shall require at least four (4) members present and the vote shall be by majority]~~. The members of the committee shall be compensated for attending meetings, as provided in KRS 7.090(3).
- (3) Any professional, clerical, or other employees required by the committee shall be provided in accordance with the provisions of KRS 7.090(4) and (5).
- (4) All proposed personal service contracts and memoranda of agreement received by the Legislative Research Commission shall be submitted to the committee to:
 - (a) Examine the stated need for the service;
 - (b) Examine whether the service could or should be performed by state personnel;
 - (c) Examine the amount and duration of the contract or agreement; and
 - (d) Examine the appropriateness of any exchange of resources or responsibilities.
- (5) If the committee determines that the contract service or agreement, other than an emergency contract approved by the secretary of the Finance and Administration Cabinet or his designee, is not needed or inappropriate, the service could or should be performed by state personnel, the amount or duration is excessive, or the exchange of resources or responsibilities are inappropriate, the committee shall attach a written notation of the reasons for its disapproval or objection to the personal service contract or memorandum of agreement and shall return the personal service contract or memorandum of agreement to the secretary of the Finance and Administration Cabinet or his designee. The committee shall act on a personal service contract or memorandum of agreement submitted to the Legislative Research Commission within forty-five (45) days of the date received.

- (6) Upon receipt of the committee's disapproval or objection to a personal service contract or memorandum of agreement, the secretary of the Finance and Administration Cabinet or his designee shall determine whether the personal service contract or memorandum of agreement shall:
 - (a) Be revised to comply with the objections of the committee;
 - (b) Be canceled and, if applicable, payment allowed for services rendered under the contract or amendment; or
 - (c) Remain effective as originally approved.
- (7) The secretary of the Finance and Administration Cabinet or his designee shall notify the committee of the action taken on personal service contracts and memoranda of agreement disapproved or objected to within ten (10) days from the date the personal service contracts or memoranda of agreement were reviewed by the committee.
- (8) Contracting bodies shall make annual reports to the committee not later than December 1 of each year. The committee shall establish reporting procedures for contracting bodies related to personal service contracts and memoranda of agreement submitted by the secretary of the Finance and Administration Cabinet or his designee.

Section 6. KRS 158.647 is amended to read as follows:

- (1) A permanent subcommittee of the Legislative Research Commission to be known as the Education Assessment and Accountability Review Subcommittee is hereby created. The subcommittee shall be composed of eight (8) members *appointed as follows: three (3) members of the Senate appointed by the President of the Senate; one (1) member of the minority party in the Senate appointed by the Minority Floor Leader in the Senate; three (3) members of the House of Representatives appointed by the Speaker of the House of Representatives; and one (1) member of the minority party in the House of Representatives appointed by the Minority Floor Leader in the House of Representatives.*~~[, including four (4) members from each chamber. The Legislative Research Commission shall appoint, from the membership of the General Assembly, the]~~ Members of the subcommittee *shall serve* for terms of two (2) years, and the members appointed from each chamber shall elect one (1) member from their chamber to serve as co-chair. The co-chairs shall have joint responsibilities for subcommittee meeting agendas and presiding at subcommittee meetings.~~[At least one (1) member appointed from each chamber shall be a member of the minority party in that chamber.]~~ A majority of the *entire membership of the Education Assessment and Accountability Review Subcommittee* shall constitute a quorum, and all actions *of the subcommittee shall be by vote of a majority of its entire membership*~~[authorizing a study, dropping a study, or adopting a final report on any subject under study shall require the affirmative vote of a majority of the full subcommittee membership. All other actions of the subcommittee may be undertaken by a simple majority].~~ Any vacancy that may occur in the membership of the subcommittee shall be filled by the *same appointing authority who made the original appointment*~~[Legislative Research Commission at its next regularly scheduled meeting after the occurrence of the vacancy].~~
- (2) The subcommittee shall review administrative regulations and advise the Kentucky Board of Education concerning the implementation of the state system of assessment and accountability, established in KRS 158.6453, 158.6455, and 158.782.

- (3) The subcommittee shall advise and monitor the Office of Education Accountability in the performance of its duties according to the provisions of KRS 7.410.
- (4) ***On an alternating basis, each co-chair shall have the first option to set the monthly meeting date. A monthly meeting may be canceled by agreement of both co-chairs***~~[The subcommittee may meet monthly at a time and place as the co-chairs may determine].~~ The members of the subcommittee shall be compensated for attending meetings as provided in KRS 7.090.
- (5) Any professional, clerical, or other employees required by the subcommittee shall be provided in accordance with the provisions of KRS 7.090.

Section 7. KRS 248.723 is amended to read as follows:

- (1) There is created a permanent subcommittee of the Legislative Research Commission to be known as the Tobacco Settlement Agreement Fund Oversight Committee. The subcommittee shall be composed of twelve (12) members and shall include ***four (4)***~~[six (6)]~~ members of the House of Representatives ***appointed by the Speaker; two (2) members of the minority party in the House of Representatives appointed by the Minority Floor Leader; four (4)***~~[and six (6)]~~ members of the Senate ***appointed by the President; and two (2) members of the minority party in the Senate appointed by the Minority Floor Leader.***~~[The subcommittee shall include members of the minority party as nearly proportional to their membership in the General Assembly as mathematically possible. The Legislative Research Commission shall appoint, from the membership of each house of the General Assembly,] The members of the subcommittee ***shall serve*** for terms of two (2) years. The appointed members ***from each chamber*** shall elect one (1) ***member from their chamber***~~[of their number]~~ to serve as ***co-chair***~~[chair]~~. Any vacancy that may occur in the membership of the subcommittee shall be filled ***pursuant to subsection (1) of this section*** by the ***same appointing authority who made the original appointment***~~[Legislative Research Commission at its next regularly scheduled meeting after the vacancy occurs]~~.~~
- (2) The ***co-chairs shall have joint responsibilities for committee meeting agendas and presiding at committee meetings***~~[subcommittee shall meet monthly, or at the call of the chair]~~. The members of the subcommittee shall be compensated for attending meetings as provided in KRS 7.090(3) and 7.110(5).
- (3) ***A majority of the entire membership of the Tobacco Settlement Agreement Fund Oversight Committee shall constitute a quorum, and all actions of the subcommittee shall be by vote of a majority of its entire membership***~~[A quorum of the subcommittee shall consist of seven (7) members. A majority of the members present may act upon matters before the subcommittee]~~.
- (4) Any professional, clerical, or other employees required by the subcommittee shall be provided in accordance with KRS 7.090(4) and (5).
- (5)
 - (a) Subsections (6) to (10) of this section shall apply only to the expenditures from and projects under the agricultural development fund;
 - (b) Subsection (11) shall apply to all expenditures under the tobacco settlement agreement fund created in KRS 248.654; and
 - (c) Subsection (12) shall apply to expenditures from the early childhood development fund and the Kentucky health care improvement fund created in KRS 200.151 and 194A.055.

- (6) The subcommittee shall review each project being submitted to the Agricultural Development Board. In reviewing the projects, the subcommittee shall determine whether the criteria or requirements required by KRS 248.701 to 248.727 have been met and whether any other relevant requirements have been met.
- (7)
 - (a) If the subcommittee determines that any of the criteria or requirements required by KRS 248.701 to 248.727, except as provided in subsection (5) of this section, have not been met, the subcommittee may, by majority vote, recommend to the board in writing that a project not be approved.
 - (b) If the subcommittee determines that all relevant criteria were met for proposals not approved by the board, the subcommittee may, by majority vote, recommend to the board in writing that the project be approved.
 - (c) The reasons for recommending that a project be approved or not approved shall be stated in correspondence from the subcommittee, which shall be issued within thirty (30) days of action of the subcommittee.
- (8) If the board proceeds with approval of a project under the agricultural development fund that the subcommittee has recommended in writing not be approved, or refuses to approve a project that the subcommittee has recommended in writing be approved, the board shall provide a written explanation to the subcommittee as to why the board took that action on the project. The written explanation shall be sent within thirty (30) days of receiving the subcommittee's notification.
- (9) The subcommittee shall also hear cases that arise under KRS 248.721(8) and 248.711(4). In these cases the subcommittee shall provide a forum for discussion and possible resolution of differences between the board and the affected party. If the differences are not resolved, the subcommittee may, by majority vote, recommend to the board in writing a course of action.
- (10) The subcommittee shall maintain records of its findings and determinations. The records shall be transmitted to the appropriate interim joint committees of the Legislative Research Commission within thirty (30) days of making any determination.
- (11) The subcommittee shall issue an annual written report to the Legislative Research Commission regarding the findings of the subcommittee.
- (12) All expenditures under the early childhood development fund and the Kentucky health care improvement fund created in KRS 200.151 and 194A.055 shall be reported to the subcommittee. The expenditures shall be submitted in an electronic format in a manner approved by the Legislative Research Commission in order for the Commission to have a repository of information in Master Settlement Agreement funding expenditures.

Section 8. KRS 7A.110 is amended to read as follows:

- (1) The Capital Planning Advisory Board of the Kentucky General Assembly shall consist of **sixteen (16)**~~fifteen (15)~~ members. The manner of appointment and terms of the members of the board shall be as follows:
 - (a) Four (4) members shall be appointed by the Governor to represent the executive branch of state government. These members shall serve for a term of four (4) years and until their successors are appointed.

- (b) Four (4) members shall be appointed by the Chief Justice of the Supreme Court to represent the judicial branch of state government. These members shall serve for a term of four (4) years and until their successors are appointed.
- (c) Four (4) members shall represent the legislative branch of state government and shall be appointed and serve as follows:
1. The Speaker of the House of Representatives shall appoint two (2) members, each of whom shall serve while a member of the House for the term for which he has been elected, **and one (1) of whom shall be designated co-chair**; and
 2. The President of the Senate shall appoint two (2) members, each of whom shall serve while a member of the Senate for the term for which he has been elected, **and one (1) of whom shall be designated co-chair**.
- (d) **Four (4)**~~Three (3)~~ public members shall be appointed from the Commonwealth at large, one (1) by the Governor, one (1) by the Chief Justice, ~~and~~ one (1) by the **President of the Senate, and one (1) by the Speaker of the House of Representatives**~~Legislative Research Commission~~. The public members shall serve for a term of four (4) years and until their successors are appointed.
- (2) Any vacancy on the board shall be filled in the same manner as the original appointment.
- (3) **The co-chairs shall have joint responsibilities for board meeting agendas and presiding at board meetings**~~board shall elect one (1) of its members to serve as chairman for a term of two (2) years~~.
- (4) **On an alternating basis, each co-chair shall have the first option to set the monthly meeting date. A monthly meeting may be canceled by agreement of both co-chairs.** The board shall meet~~at the call of the chairman, but~~ at least twice during each calendar year.
- (5) Members of the board shall be entitled to reimbursement for expenses incurred in the performance of their duties.
- (6) **A majority of the entire membership of the Capital Planning Advisory Board shall constitute a quorum, and all actions of the board shall be by vote of a majority of its entire membership.**

Section 9. KRS 7B.030 is amended to read as follows:

- (1) The board of the Kentucky Long-Term Policy Research Center shall consist of twenty-one (21) members, including ten (10) members selected from state government and eleven (11) at-large members selected from the private and civic sectors, universities, and local governments.
- (a) State government members shall be appointed as follows:
1. **Two (2)**~~Three (3)~~ members of the House of Representatives **shall be appointed by the Speaker of the House of Representatives and one (1) member of the minority party in the House of Representatives shall be appointed by the Minority Floor Leader in the House of Representatives. Two (2)**~~three (3)~~ members of the Senate shall be appointed by the **President of the Senate and one (1) member of the minority party in the Senate shall be appointed by the Minority Floor Leader in the Senate**~~Legislative Research Commission~~; and
 2. Four (4) members from the executive branch shall be appointed by the Governor.

- (b) At-large members shall be appointed as follows:
1. Five (5) members shall be appointed by the Legislative Research Commission ~~and confirmed by the House of Representatives and the Senate~~; and
 2. Six (6) members shall be appointed by the Governor and confirmed by the House of Representatives and the Senate;
 3. Persons appointed may serve prior to confirmation, but shall continue to serve only if confirmed at the next regular session, or special session if the matter is included in the call therefor of the General Assembly;
 4. The provisions of KRS 11.160 shall apply to Senate and House of Representatives confirmation of at-large members appointed by the ~~Legislative Research Commission and the~~ Governor.
- (2) Board members shall serve four (4) year terms, except initial appointments shall be for terms as follows:
- (a) The Legislative Research Commission shall initially appoint two (2) legislators for terms of two (2) years, two (2) legislators for terms of three (3) years and two (2) legislators for terms of four (4) years; and shall initially appoint one (1) at-large member for a two (2) year term, two (2) at-large members for three (3) year terms, and two (2) at-large members for four (4) year terms.
 - (b) The Governor shall initially appoint two (2) members from the executive branch for terms of two (2) years, one (1) for a three (3) year term, and one (1) for a four (4) year term, and shall initially appoint two (2) at-large members for terms of two (2) years, two (2) for three (3) year terms, and two (2) for four (4) year terms.
- (3) Members of the board shall meet the same age and state residency requirements as provided in Section 32 of the Kentucky Constitution for members of the House of Representatives, shall represent the cultural diversity of Kentucky, and shall have demonstrated an interest in the well-being and development of the Commonwealth.
- (4) The chair shall be elected annually by the board and shall alternate between the members selected from state government and the at-large members. If the chair is a member selected from state government, the vice chair shall be an at-large member, and if the chair is an at-large member, the vice chair shall be a member selected from state government.
- (5) Board members who miss three (3) consecutive meetings may be removed from the board by a majority vote of the board at any regularly scheduled meeting in which a quorum is present. The position shall then be declared vacant and shall be filled in the same manner as it was originally appointed.
- (6) If vacancies are not filled by the original appointing authority within thirty (30) days of the occurrence of the vacancy, the board may fill the vacancy.
- (7) ***A majority of the entire membership of the board shall constitute a quorum, and all actions of the board shall be by vote of a majority of its entire membership.***

SECTION 10. A NEW SECTION OF KRS CHAPTER 7 IS CREATED TO READ AS FOLLOWS:

- (1) (a) ***The monthly meeting schedule for interim joint committees of the Legislative Research Commission shall begin on June 1 and continue through December 1 of***

each year. During that period, upon agreement of the co-chairs, an interim joint committee shall have the authority to meet according to the most recent regular monthly meeting schedule approved by a majority of the entire membership of the Commission. With an affirmative vote of a majority of its entire membership, the Commission may alter the beginning and concluding dates of authorization granted in this subsection for regular monthly meetings of interim joint committees during the current calendar year, authorize any additional meeting of any interim joint committee, or disapprove any meeting of any interim joint committee.

- (b) *The co-chairs of each interim joint committee shall have joint responsibility for approving meeting agendas and presiding at meetings. If the co-chairs of any interim joint committee cannot agree on convening a monthly meeting, each co-chair, with the agreement of the presiding officer of the co-chair's chamber, may convene a meeting of the interim joint committee members who are members of the co-chair's chamber. If such a meeting is convened, it shall be on the regular monthly meeting date of the interim joint committee, and it shall be staffed by the Commission. Not more than three (3) such meetings shall be convened by each co-chair in a calendar year.*
 - (c) *Subcommittees of interim joint committees shall be authorized to meet according to the policies and practices of the Commission.*
- (2) *For purposes of this section, "interim joint committees" means those subcommittees of the Commission which are constituted by combining the membership of Senate and House standing committees pursuant to the most recent interim joint committee structure approved by a majority of the entire membership of the Commission. After the effective date of this Act, until such time as the Commission, by an affirmative vote of a majority of its entire membership, adopts a new interim joint committee structure, the most recent interim joint committee structure adopted by the Commission shall be considered to include an Interim Joint Committee on Seniors, Veterans, Military Affairs, and Public Protection, consisting of the members of the Senate Standing Committee on Veterans, Military Affairs, and Public Protection and the House Standing Committee on Seniors, Military Affairs, and Public Safety.*

Section 11. KRS 7.090 is amended to read as follows:

- (1) There is created a Legislative Research Commission as an independent agency *in the legislative branch* of state government,~~and~~ which is exempt from control by the executive branch and from reorganization by the Governor. The Commission shall have the duties, responsibilities, and powers assigned to it or authorized it by the General Assembly, by statute or otherwise.
- (2) The Legislative Research Commission shall be composed of the President of the Senate, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Speaker Pro Tempore of the House of Representatives, the majority and minority floor leaders of the Senate and the House of Representatives, the majority and minority *whips*~~[party whip]~~ of the Senate, the majority and minority *whips*~~[party whip]~~ of the House, *and* the majority and minority caucus chairmen of the Senate and House of Representatives. Any vacancy in the Commission shall be filled by the remaining members thereof *who are of the same chamber membership and political party affiliation as the person having vacated Commission membership.*~~[, provided,]~~ If the vacancy is in the membership of the House of Representatives,~~then~~ the successor shall be from the House, and if the vacancy

is from the Senate membership of the Commission, ~~then~~ the successor shall be from the Senate. A member thus elected to fill any vacancy shall hold office for the unexpired term of his predecessor. The President of the Senate and the Speaker of the House of Representatives shall serve as co-chairmen of the Commission.

- (3) The Legislative Research Commission shall meet during regular and special sessions of the General Assembly, and during the intervals between sessions at such times and places as the co-chairmen may determine. Meetings of the Commission shall be called by the co-chairmen on their own initiative, or at the written request of any three (3) members of the Commission. ***Any action of the Commission shall require an affirmative roll call vote of a majority of the Commission's entire membership.*** For attending meetings of the Commission or any of its subcommittees whose membership consists only of members of the Commission between sessions of the General Assembly, the members of the Commission shall be paid their necessary traveling expenses and in addition thereto an amount per day equal to the per diem compensation they receive during any session. For attending meetings of interim joint committees or other Commission subcommittees, members of the Commission shall be paid an amount per day equal to that received by all other members of the committees or subcommittees who are not designated as chairmen or co-chairmen thereof.
- (4) The Commission shall appoint a director, who shall have had graduate training in government in a recognized university or college or practical experience in governmental administration, and who shall hold office at the pleasure of the Commission. The salary of the director shall be determined by the Commission. The Commission shall have exclusive jurisdiction over the employment of such personnel as may be necessary to effectuate the provisions of KRS 7.090 to 7.110.
- (5) Any professional, clerical, or other employees required by any committee appointed by the General Assembly shall be provided to the committee by the Legislative Research Commission. The chairman of the committee shall advise the director of the Legislative Research Commission of his need for personnel. In the event that the personnel required by any committee cannot be met by the staff of the Legislative Research Commission, the director shall employ personnel as necessary to meet the needs of the committee, and shall fix the rate of compensation of the employees.
- (6) The director shall, at the discretion of the Commission and under its supervision and control, provide for the allocation of the work and activities of all employees of the Commission.
- (7) The Commission may, in effectuating the provisions of KRS 7.090 to 7.110, contract with any public or private agency or educational institution or any individual for research studies, the gathering of information, or the printing and publication of its reports.
- (8) The Legislative Research Commission shall constitute administrative offices for the General Assembly and the director shall serve as administrative officer for the assembly when it is not otherwise in session.
- (9) ***A Senate bill may be pre-filed or approved as pre-filed by an interim joint committee if it receives the affirmative votes of a majority of the Senate members of that interim joint committee. A House of Representatives bill may be pre-filed or approved as pre-filed by an interim joint committee if it receives the affirmative votes of a majority of the House***

members of that interim joint committee. An interim joint committee shall not pre-file a bill or approve a bill as pre-filed in any other manner.

(10) *The President of the Senate and the Speaker of the House of Representatives shall have the authority to approve the in-state and out-of-state per diem and expenses for members of their respective chambers.*

Section 12. The following KRS sections are repealed:

- 6.226 Legislative Compensation Commission -- Membership.
- 6.227 Terms -- Chairman -- Expenses.
- 6.228 Duties.
- 6.229 Legislative budget to include recommendations of commission.
- 13A.032 Effect of finding of deficiency.
- 13A.333 Expiration of deficient regulations.

Section 13. Whereas the work of the legislative committees and subcommittees addressed in this Act is ongoing and does not conform to the regular interim committee schedule, making it necessary to appoint the members as soon as possible, an emergency is declared to exist, and this Act shall take effect upon its passage and approval by the Governor or upon its otherwise becoming law.

Approved March 31, 2003