

**CHAPTER 123****( HB 216 )**

AN ACT relating to the Kentucky Economic Development Partnership.

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

➔Section 1. KRS 154.10-010 is amended to read as follows:

- (1) (a) The Kentucky Economic Development Partnership, a board governing the Cabinet for Economic Development, is created and established, performing essential governmental and public functions and purposes essential to improving and promoting the health and general welfare of the people of the Commonwealth through sustainable economic development, as prescribed in KRS 154.1-020.
- (b) The board shall have reorganization powers and authority as prescribed in KRS 12.028 and shall constitute an administrative body as defined in KRS 12.010, but it and the cabinet shall not be subject to ~~the~~ reorganization by the Governor, KRS Chapter 12 notwithstanding.
- (c) The board shall serve as the governing body of the cabinet and shall exercise all powers and authorities conferred upon it by statute, including, but not limited to, the following functions:
  1. Strategic planning;
  2. Finance;
  3. Business assistance;
  4. Marketing and promotion;
  5. Community development;
  6. Workforce development;
  7. Innovation; and
  8. All economic development powers and authorities not specifically conferred by statute to another agency or authority of state government.
- (2) The board shall consist of thirteen (13) voting members and two (2) nonvoting members. The thirteen (13) voting members shall consist of the Governor, the secretary of the Finance and Administration Cabinet, the secretary of the Public Protection Cabinet, the secretary of the Energy and Environment Cabinet, the secretary of the Labor Cabinet, and eight (8) private sector members who shall be appointed by the Governor. The secretary of the Governor's Executive Cabinet shall serve as a voting member upon the absence of the Governor. The secretary of the Cabinet for Economic Development and the secretary of the Tourism, Arts and Heritage Cabinet shall serve as nonvoting members.
- (3) ~~By no later than thirty (30) days after July 14, 1992, }The governing bodies of each of the following organizations shall ~~meet and~~ nominate two (2) persons from each of the six (6) Congressional districts of the Commonwealth and two (2) persons from the state at large, as candidates for ~~the initial~~ appointment as private sector members to the board:~~
  - (a) The Kentucky ~~Industrial Development Council~~**Association for Economic Development;**
  - (b) The ~~Associated Industries of~~ Kentucky **Association of Manufacturers;**
  - (c) The Kentucky State AFL-CIO;
  - (d) The Kentucky Farm Bureau Federation;
  - (e) The Kentucky Chamber of Commerce; and
  - (f) The ~~Kentucky Economic Development Corporation~~**National Federation of Independent Businesses/Kentucky.**
- (4) The Governor shall select the original eight (8) private sector members from the aggregation of the lists provided pursuant to subsection (3) **of this section** with at least one (1) appointment being chosen from each organization's list and at least one (1) appointment being chosen from each Congressional district. ~~After the initial appointments, }Appointments to vacancies shall be made in the same manner as prescribed in~~

- ~~[subsection]~~**subsections (3) and (4)** of this section, except that there is no requirement that the vacancy be filled from the same organization's list as the original appointment.
- (5) ~~[The terms of office of the initial appointments of the private sector members to the board shall be staggered so that one fourth (1/4) of all appointments shall expire one (1), two (2), three (3), and four (4) years, respectively, from the date of their appointment.]~~ All ~~[succeeding]~~ appointments shall be for four (4) years.
  - (6) In making appointments to the board, the Governor shall assure broad geographical representation, as well as representation from the major sectors of Kentucky's economy by leading executives with a knowledge of the problems of large and small businesses, local economic development, and the transfer of research and development from the laboratory to the marketplace. In filling vacancies, the Governor shall ~~[attempt to]~~ assure the continuing representation on the board of broad constituencies of Kentucky's economy, including manufacturing and agriculture.
  - (7) Vacancies on the board which may occur from time to time shall be filled as follows:
    - (a) Any vacancy which occurs shall be filled for the unexpired term in accordance with the procedures established **in subsections (3) and (4) of this section**~~[for the original appointment]~~.
    - (b) If any private sector member misses more than two (2) consecutive meetings of the board, then that position shall be declared vacant and filled in accordance with this section.
  - (8) The board shall meet ~~[quarterly]~~**semi-annually** and at other times upon call of the chairman or a majority of the board.
  - (9) A quorum shall be a majority of the voting membership of the board.
  - (10) A quorum shall be required to organize and conduct the business of the board, except that an affirmative vote of seven (7) or more members of the entire board shall be required to ~~[fire]~~**terminate the employment of** the cabinet's secretary, and to adopt or amend the strategic plan.
  - (11) Private sector members shall serve without compensation but shall be reimbursed for all reasonable, necessary, and actual expenses.
  - (12) All existing duties, responsibilities, functions, personnel, programs, funds, obligations, records, and real and personal property of the Cabinet for Economic Development, as of July 14, 1992, shall be under the authority and control of the board.

**Signed by Governor April 13, 2016.**