

LEGISLATIVE RESEARCH COMMISSION

Minutes of the 562nd Meeting

May 15, 2019

Call to Order and Roll Call

The 562nd meeting of the Legislative Research Commission was held on Wednesday, May 15, 2019, at 9:00 AM, in Room 125 of the Capitol Annex. Representative David Osborne, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Robert Stivers II, Co-Chair; Representative David Osborne, Co-Chair; David P. Givens, Morgan McGarvey, Dennis Parrett, Damon Thayer, Johnny Ray Turner, and Mike Wilson; Representatives Rocky Adkins, John Bam Carney, Derrick Graham, Joni L. Jenkins, Chad McCoy, David Meade, and Suzanne Miles.

LRC Staff: Christy Glass

Representative Osborne called for a motion to go into Executive Session. A motion was made by Senator Stivers and seconded by Representative Meade.

After returning from Executive Session for discussion of a personnel issue and pending litigation in another state, Representative Osborne called for a motion to approve the minutes of the December 19, 2018, meeting; accept as indicated items A. through I. under Staff and Committee Reports; refer prefiled bills as indicated and approve items B. through J. under New Business; and accept and refer as indicated items 1. through 52. under Communications.

A motion was made by Senator Thayer and seconded by Senator Wilson.

There being no further discussion, a motion having been made, a roll call vote was taken, and the motion approved unanimously. The following items were approved, accepted, or referred:

STAFF AND COMMITTEE REPORTS

- A. Information requests since December 1, 2018.
- B. Committee Activity Reports since December 1, 2018.
- C. Report of the Administrative Regulation Review Subcommittee meetings on December 11, 2018, and January 9, February 11, March 11, and April 9, 2019.
- D. Committee review of the administrative regulations by the Interim Joint Committee on Health and Welfare and Family Services during its meeting on January 23, 2019.

- E. Committee review of the administrative regulations by the Senate Standing Committee on Health and Welfare during its meetings on February 20 and March 11, 2019.
- F. Committee review of the administrative regulations by the House Standing Committee on Health and Family Services during its meetings on February 21 and March 13, 2019.
- G. Committee review of the administrative regulations by the House Standing Committee on Education during its meeting on March 12, 2019.
- H. Committee review of the administrative regulations by the Education Assessment and Accountability Review Subcommittee during its meeting on April 15, 2019.
- I. Committee review of FY 2019 Small Cities Community Development Block Grant and Section 108 Loan Guarantee Program Application by the Senate Standing Committee on State and Local Government and the House Standing Committee on Local Government during its meeting on February 6, 2019.

NEW BUSINESS

- A. Referral of prefiled bills to the following committees: **BR 83** (an act relating to ground ambulance service providers and making an appropriation therefor) to **Health and Welfare and Family Services**; **BR 6** (an act relating to cruelty to equines) and **BR 23** (an act proposing an amendment to Section 145 of the Constitution of Kentucky relating to persons entitled to vote) to **Judiciary**; and **BR 80** (an act relating to the expansion of gaming and making an appropriation therefor) to **Licensing, Occupations, and Administrative Regulations**.
- B. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum authorizing the creation and membership of LRC Public Pensions Working Group.
- C. From Senator Julie Raque Adams, Senator Morgan McGarvey, Representative Randy Bridges, and Representative Derrick Graham: Memorandum requesting authorization of the organization and membership of the Affordable Housing Caucus.
- D. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum appointing Representative Derek Lewis to the Interim Joint Committee on Natural Resources and Energy and appointing Representative Kevin Bratcher as Co-chair of the Interim Joint Committee on State Government.
- E. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving the 2019 Interim Joint Committee Regular Meeting Schedule.
- F. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum appointing Senator Brandon Smith to the Interim Joint Committee on Transportation.
- G. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum regarding Legislative Research Commission Open Records Decision.
- H. From Senate President Robert Stivers and House Speaker David Osborne:

Memorandum approving the creation and membership of the Economic Development, Small Business, and Information Technology Subcommittee.

- I. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving the creation and membership of 2019 Interim Task Forces and LRC Staff Study.
- J. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving the recommendation of the LRC Director Search Committee.

COMMUNICATIONS

- 1. From the Office of the Attorney General: Constitutional Challenge Report for the months of November and December 2018, and January, February, and March 2019. Pursuant to KRS 418.075(3).
- 2. From the Finance and Administration Cabinet: Monthly Investment Income Report for the months of December 2018, and January, February, March, and April 2019. Pursuant to KRS 42.410.
- 3. From the Finance and Administration Cabinet, Office of the Controller: Surtax Receipts Statements for the Law Enforcement and Professional Firefighters Foundation Fund Programs, which reflect activity for Accounting Periods 5, 6, 7, 8, and 9 and year-to-date activity for the period of July 1, 2018, through March 31, 2019. Pursuant to KRS 42.190.
- 4. From the Cabinet for Economic Development: Construction activity reports for each loan approved as of the quarters ending December 31, 2018, and March 31, 2019. Pursuant to KRS 154.20-150.
- 5. From the Kentucky Department of Education: FY 17-18 Efficient School Design within Kentucky's K-12 Education System. Pursuant to KRS 157.455(7).
- 6. From the Office of the Attorney General: FY 18 Annual Report of County Attorney Traffic Safety Programs. Pursuant to KRS 15.720(1)(b).
- 7. From the Auditor of Public Accounts: FY 17 Report of the Audit of the Kentucky Department of Fish and Wildlife Resources.
- 8. From the Auditor of Public Accounts: Examination of Certain Operations and Financial Activity of the Kentucky Department of Fish and Wildlife Resources.
- 9. From the Cabinet for Health and Family Services: 2018 Child Care Advisory Council Annual Report. Pursuant to KRS 199.8983.
- 10. From the State Interagency Council: 2019 Recommendations. Pursuant to KRS 200.505.
- 11. From the Kentucky Board of Alcohol and Drug Counselors: 2018 Annual Report. Pursuant to KRS 309.0813(14).
- 12. From the Kentucky Board of Licensure for Marriage and Family Therapists: 2018 Annual Report. Pursuant to KRS 335.320(8)l.
- 13. From the Education and Workforce Development Cabinet: FY 18 Report of the Education and Workforce Development Cabinet Regarding Funding Awarded to Area Development Districts. Pursuant to KRS 147A.115(1).

14. From the Justice and Public Safety Cabinet, Department of Corrections: 2018 Reentry Drug Supervision Annual Report. Pursuant to KRS 439.651.
15. From the Kentucky Personnel Cabinet: 2018 Kentucky Group Health Insurance Board Annual Report. Pursuant to KRS 18A.226(5)(b).
16. From the Department of Education: 2018 Report on Local School District Administrative Expenditures. Pursuant to 2018 HB 200.
17. From the Finance and Administration Cabinet: 2018 Comprehensive Annual Financial Report (CAFR). Pursuant to KRS 48.800(3).
18. From Kentucky's Resource Center for Environmental Sustainability: FY 18 Annual Energy Management Reporting Requirements. Pursuant to KRS 160.325.
19. From the Auditor of Public Accounts: 2018 Report of the Audit of the Northern Kentucky Convention Center Corporation.
20. From the Cabinet for Health and Family Services: 2018 Annual Report of Receipt and Expenditure of State and Federal Funds to Area Development Districts. Pursuant to KRS 147A.115.
21. From the Cabinet for Health and Family Services: FY 18 Block Grant Program Status Report of the Low Income Home Energy Assistance Program. Pursuant to KRS 45.357.
22. From the Cabinet for Health and Family Services: 2018 Kentucky Elder Abuse Annual Report. Pursuant to KRS 209.005(4).
23. From the Energy and Environment Cabinet: FY 18 Waste Tire Program Annual Report. Pursuant to KRS 224.50-872.
24. From the Board of Medical Imaging and Radiation Therapy: 2018 Annual Report. Pursuant to KRS 311B.050(8).
25. From the Justice and Public Safety Cabinet: 2018 Child Fatality and Near Fatality External Review Panel Annual Report. Pursuant to KRS 620.055.
26. From the Kentucky Department of Agriculture: 2018 Cervid Chronic Wasting Disease Surveillance Identification Program Annual Report. Pursuant to KRS 246.295.
27. From the Kentucky Department of Education: HB 200 (2018) Report on Local School District Administrative Expenditures.
28. From the Auditor of Public Accounts: Data Bulletin: Examination of the Outstanding Debt and Debt Service of the Commonwealth.
29. From the Auditor of Public Accounts: Report of the Statewide Single Audit of the Commonwealth of Kentucky.
30. From the Cabinet for Health and Family Services: 2018 4th Quarter Social Service Worker Caseload Report. Pursuant to KRS 199.641(4).
31. From Court Appointed Special Advocates: 2019 Biennial Report. Pursuant to KRS 620.535(3).
32. From the Kentucky Employers' Mutual Insurance Authority: 2018 Annual Statement.
33. From the Kentucky Employers' Mutual Insurance Authority: 2018 Statement of Actuarial Opinion.

34. From the Kentucky Personnel Board: FY 18 Annual Report. Pursuant to KRS 18A.075(6).
35. From the Cabinet for Health and Family Services: 2018 Child Care Advisory Council Annual Report. Pursuant to KRS 199.8983.
36. From the Administrative Office of the Courts: 2018 Kentucky Citizen Foster Care Review Board Annual Report. Pursuant to KRS 620.190.
37. From the Kentucky Employers' Mutual Insurance: 2018 Management's Discussion and Analysis with Supplementary Schedules.
38. From the Auditor of Public Accounts: 2018 Report of the Statewide Single Audit of the Commonwealth of Kentucky, Volume II.
39. From the Louisville Firefighters Pension Fund: 2019 Actuarial Report. Pursuant to KRS 65.156.
40. From the Finance and Administration Cabinet, Department of Revenue: 2018 Insurance Premiums Surcharge. Pursuant to KRS 136.392.
41. From the Kentucky Employers' Mutual Insurance Authority: 2018 Report of Independent Auditors. Pursuant to KRS 342.811.
42. From the Auditor of Public Accounts: Examination of Certain Policies, Procedures, Controls, and Financial Activities of the Kentucky Employers' Mutual Insurance Company.
43. From the Auditor of Public Accounts: 2018 Report of the Audit of Motor Vehicle and Motorboat Taxes and Registration Fees Collected and Remitted to the Commonwealth of Kentucky by each County Clerk.
44. From the Kentucky Council on Postsecondary Education: 2017-18 Report on CPE and Institutional Board Members appointed from July 1, 2017, through December 31, 2018. Pursuant to HB 15 (2016).
45. From the Auditor of Public Accounts: FY 18 Report of the Audit of the Kentucky Health Benefit Exchange.
46. From the Auditor of Public Accounts: Independent External Audit, 2018 Audit Findings Report Commonwealth of Kentucky Health Benefit Exchange.
47. From the Auditor of Public Accounts: FY 18 Report on Compliance with Civil Rights Laws Including Agency Title VI Implementation Plans, Updates, and Compliance Reports as Required by KRS Chapter 344.
48. From the Auditor of Public Accounts: FY 18 Report of the Audit of the Schedule of Employer Allocations and Schedule of Pension Amounts by Employer for the Kentucky Retirement Systems.
49. From the Auditor of Public Accounts: FY 18 Report of the Audit of the Schedule of Employer Allocations and Schedule of Other Postemployment Benefits Amounts by Employer for the Kentucky Retirement Systems.
50. From the Cabinet for Health and Family Services: Social Service Worker Caseload Averages Reporting. Pursuant to KRS 199.461(4).
51. From the Finance and Administration Cabinet, Department of Revenue, Office of Property Evaluation: 2019 Summary of Property Assessments Exempt from

Taxation. (Staff suggested committee referral: State Government.) Pursuant to KRS 133.120(6).

52. From Kentucky Retirement Systems: 2018 Actuarial Experience Study for the period ending June 30, 2018. Pursuant to KRS 61.670(2).

There being no further business, the meeting was adjourned.