

LEGISLATIVE RESEARCH COMMISSION

Minutes of the 563rd Meeting

September 18, 2019

Call to Order and Roll Call

The 563rd meeting of the Legislative Research Commission was held on Wednesday, September 18, 2019, at 1:30 PM, in Room 125 of the Capitol Annex. Senator Robert Stivers II, 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; Senators Julie Raque Adams, David P. Givens, Dennis Parrett, Damon Thayer, Johnny Ray Turner, and Mike Wilson; Representatives Rocky Adkins, John Bam Carney, Derrick Graham, Joni L. Jenkins, David Meade, and Suzanne Miles.

Guests:

LRC Staff: Jay Hartz and Christy Glass.

Senator Stivers called the meeting to order and welcomed Jay Hartz as LRC's new director. Senator Stivers asked everyone to be in prayer for David Jones' family. Mr. Jones was the founder of Humana, and passed away on September 17. Senator Stivers then called for a motion to approve the minutes of the May 15, 2019, meeting, accept as indicated items A. through K. under Staff and Committee Reports, refer prefiled bills as indicated and approve items B. through DD. under New Business, and accept and refer as indicated items 1. through 33. under Communications.

A motion was made by Senator Raque Adams and seconded by Senator Thayer.

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 May 2019.
- B. Committee Activity Reports since May 2019.
- C. Report of the Administrative Regulation Review Subcommittee meetings on May 14, June 11, July 10, and August 9, 2019.

- D. Committee review of the administrative regulations by the Interim Joint Committee on Economic Development and Workforce Investment during its meeting on June 6, 2019.
- E. Committee review of the administrative regulations by the Interim Joint Committee on Health, Welfare, and Family Services during its meetings on July 19, August 19, and September 9, 2019.
- F. Committee review of Executive Reorganization Order 2019-286 by the Interim Joint Committee on Health, Welfare, and Family Services during its meeting on June 3, 2019.
- G. Committee review of Executive Reorganization Order 2019-0466 by the Interim Joint Committee on Health, Welfare, and Family Services during its meeting on August 19, 2019.
- H. Committee review of the FY 2020 Social Services Block Grant Application by the Interim Joint Committee on Health, Welfare, and Family Services during its meeting on August 19, 2019.
- I. Committee review of the FY 2020-2021 Community Services Block Grant Application by the Interim Joint Committee on Health, Welfare, and Family Services during its meeting on August 19, 2019.
- J. Committee review of the FY 2020-21 Unified Block Grant Application by the Interim Joint Committee on Health, Welfare, and Family Services during its meeting on September 9, 2019.
- K. Committee review of the administrative regulations by the Interim Joint Committee on Natural Resources and Energy during its meeting on September 10, 2019.

NEW BUSINESS

- A. Referral of prefiled bills to the following committees: **BR 258** (An act relating to hunting coyotes.) to **Agriculture**; **BR 32** (An act relating to the taxation of tobacco products.), **BR 36** (An act relating to an increase in tax rates.), **BR 107** (An act relating to an exemption of feminine hygiene products from sales and use taxation.), **BR 117** (An act relating to the taxation of pension income.), **BR 127** (An act proposing an amendment to Section 170 of the Constitution of Kentucky relating to exemptions from taxation.), **BR 215** (An act relating to the taxation of pension income, making an appropriation therefor, and declaring an emergency.), **BR 247** (An act relating to property taxes for veteran service organizations.), **BR 339** (An act relating to the rural hospital tax credit.), and **BR 355** (An act relating to tax credits for airport noise mitigation.) to **Appropriations and Revenue**; **BR 105** (An act relating to prescription insulin.), **BR 180** (An act relating to mandatory benefits for health benefit plans.), and **BR 275** (An act relating to Medicaid payments.) to **Banking and Insurance**; **BR 72** (An act relating to the recognition and registration of professional employer organizations.), **BR 113** (An act relating to call centers.), **BR 132** (An act relating to wages.), **BR 237** (An act relating to wages.), **BR 263** (An act relating to wage theft.), and **BR 343** (An act relating to criminal histories of job applicants.) to **Economic Development and Workforce Investment**; **BR 27** (An act relating to

- historical instruction.), **BR 31** (An act relating to teachers and making an appropriation therefor.), **BR 61** (An act relating to public charter schools), **BR 82** (An act relating to tuition benefits and making an appropriation therefor.), **BR 120** (An act relating to corporal punishment in schools.), **BR 126** (An act relating to bullying.), **BR 136** (An act relating to school bus safety and making an appropriation therefor.), **BR 203** (An act relating to arts education.), **BR 334** (An act relating to full-day kindergarten.), and **BR 357** (An act relating to education.) to **Education**; **BR 7** (An act relating to voluntary non-opioid directives), **BR 121** (An act relating to long-term care administrators.), **BR 182** (An act relating to assisted-living communities.), **BR 278** (An act relating to Medicaid managed care contracts.), **BR 297** (A resolution designating September 2020 as Prostate Cancer Awareness Month.), and **BR 315** (An act relating to copayments by medical assistance recipients.) to **Health, Welfare, and Family Services**; **BR 79** (An act relating to the investigation of a shooting or deadly incident by a law enforcement officer.), **BR 94** (An act relating to criminal damage to rental property.), **BR 119** (An act relating to road safety.), **BR 133** (An act relating to road safety.), **BR 139** (An act relating to assistance dogs.), **BR 143** (An act relating to child abuse and declaring an emergency.), **BR 176** (An act relating to road safety.), **BR 187** (An act relating to carrying concealed weapons.), **BR 240** (An act relating to compliance with state and federal law.), **BR 341** (An act relating to firearms), and **BR 342** (An act relating to firearms and declaring an emergency) to **Judiciary**; **BR 205** (An act relating to veterinarians.), **BR 231** (An act relating to discriminatory practices against a person.), **BR 233** (An act relating to cosmetic services.) and **BR 236** (An act relating to sports wagering and making an appropriation therefor.) to **Licensing, Occupations, and Administrative Regulations**; **BR 45** (An act relating to fire districts.) and **BR 206** (An act relating to solid waste.) to **Local Government**; **BR 118** (An act relating to solid waste), **BR 204** (An act relating to key infrastructure asset), and **BR 270** (An act relating to mining permits and making an appropriation therefor.) to **Natural Resources and Energy**; **BR 160** (An act relating to state symbols.), **BR 179** (An act relating to the promotion of living donor human organ and bone marrow donation.), **BR 181** (An act relating to time.), **BR 257** (An act relating to employees of quasi-governmental agencies.), and **BR 356** (An act relating to the sale or transfer of historic places.) to **State Government**; **BR 95** (An act relating to motor vehicle titles.), **BR 166** (An act relating to operating a motor vehicle.), and **BR 285** (A resolution urging Congress to require car manufacturers to improve safety devices on automobiles for the protection of children left in cars) to **Transportation**; **BR 85** (An act relating to the Honor and Remember flag) and **BR 125** (An act relating to the Bowling Green Veterans Center, making an appropriation therefor, and declaring an emergency.) to **Veterans, Military Affairs, and Public Protection**.
- B. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving the creation of the Task Force on Electric Recording of Official Documents by County Clerks.
 - C. From Senator Chris McDaniel and Representative Steven Rudy, Co-chairs of the Interim Joint Committee on Appropriations and Revenue: Memorandum requesting authorization of the membership of the LRC Subcommittee on 2020-2022 Budget Preparation and Submission.
 - D. From Senate President Robert Stivers and House Speaker David Osborne:

- Memorandum approving Amendments to the Creation of the Interim Task Forces and LRC Staff Studies.
- E. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving appointments and authorization of the 2019 Kentucky Career and Technical Education Task Force.
 - F. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving appointments and authorization of the 2019 Public Assistance Reform Task Force
 - G. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving appointments and authorization of the 2019 Area Development District Working Group.
 - H. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving appointments and authorization of the 2019 Public Water and Wastewater System Infrastructure Task Force.
 - I. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving appointments and authorization of the 2019 Alzheimer's and Dementia Workforce Assessment Task Force.
 - J. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving appointments and authorization of the 2019 Mileage Based Transportation Funding Task Force.
 - K. From Senate President Robert Stivers, House Speaker David Osborne, and State Budget Director John Chilton: Memorandum approving the membership of the Consensus Forecasting Group.
 - L. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving membership adjustment to the 2019 Public Assistance Reform Task Force.
 - M. From Senator Phillip Wheeler and Representative Jim Gooch, Co-chairs of the Public Water and Wastewater System Infrastructure Task Force: Memorandum requesting John W. "Doc" Holiday to be appointed as an additional member of the task force.
 - N. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving appointments to the 2019 Task Force on Electronic Recording of Official Documents by County Clerks.
 - O. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving membership adjustment of the 2019 Alzheimer's and Dementia Workforce Assessment Task Force.
 - P. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving membership adjustment of the 2019 Task Force on Electronic Recording of Official Documents by County Clerks.
 - Q. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum appointing Ms. Denise Wells to the Alzheimer's and Dementia Workforce Assessment Task Force.
 - R. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum appointing Sheila Mitchell, Harry Burchett, Kirk Biggerstaff, Bo Mathews, and Tim Bobrowski to the Local Superintendents Advisory Council.
 - S. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum appointing Representative Terri Branham Clark to the Interim Joint

- Committee on Natural Resources and Energy.
- T. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum appointing Senator Steve West as Co-chair of the Budget Review Subcommittee on Justice and Judiciary and removing Senator Dan Seum from the subcommittee.
 - U. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving changes to the Interim Joint Committee meeting calendar.
 - V. From Jay D. Hartz: Prefiling Deadlines for the 2020 Regular Session.
 - W. From Jay D. Hartz: 2020 Regular Session Calendar.
 - X. From Senator Jimmy Higdon and Representative Ken Upchurch, Co-chairs of the Mileage Based Transportation Funding Task Force: Memorandum requesting to meet on September 30, rather than the regular meeting date of October 7.
 - Y. From Senator Paul Hornback and Representative Richard Heath, Co-chairs of the Interim Joint Committee on Agriculture: Memorandum requesting approval to meet on October 7, rather than the newly assigned date of September 30. There are no apparent membership conflicts.
 - Z. From Senator John Schickel and Representative Adam Koenig, Co-chairs of the Interim Joint Committee on Licensing, Occupations, and Administrative Regulations: Memorandum requesting approval to meet at 10:00 a.m. rather than 3:00 p.m. on October 2. There are two potential conflicts.
 - AA. AA. From Senator Mike Wilson and Representative Bobby McCool, Co-chairs of the Kentucky Career and Technical Education Task Force: Memorandum requesting approval to meet on October 2, rather than the regularly scheduled meeting date of October 9. There are no apparent conflicts.
 - BB. BB. From Senator Jared Carpenter and Representative Bart Rowland, Co-Chairs of the Interim Joint Committee on Banking and Insurance: Memorandum requesting approval to meet at 3:00 p.m. rather than 10:00 a.m. on October 2. There are no apparent conflicts.
 - CC. CC. From Jay D. Hartz: Memorandum recommending the adoption of an Animal Policy in General Assembly and LRC office spaces.
 - DD. DD. From Senator Paul Hornback and Representative Richard Heath: Memorandum requesting reauthorization and membership of the Rural Issues Subcommittee and the Equine Issues Subcommittee.

COMMUNICATIONS

1. From the Office of the Attorney General: Constitutional Challenge Report for the months of April, May, June, and July 2019. Pursuant to KRS 418.075(3).
2. From the Finance and Administration Cabinet: Monthly Investment Income Report for the months of May, June, July, and August 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 10, 11, 12, and 13, and year-to-date activity for the period of July 1, 2018, through June 30, 2019; and Accounting Periods 1 and 2 and year-to-date activity for the period of July 1, 2019, through August 31, 2019. Pursuant to KRS 42.190.

4. From the Cabinet for Economic Development: Construction activity reports for each loan approved as of the quarter ending June 30, 2019. Pursuant to KRS 154.20-150.
5. From the Cabinet for Health and Family Services: 2018 Pediatric Cancer Research Trust Fund Annual Report. Pursuant to KRS 211.597(4).
6. From the Justice and Public Safety Cabinet, Department of Corrections: HB 463 2018 Annual Report. Pursuant to KRS 439.560.
7. From the Auditor of Public Accounts: 2018 Report of the Audit of the Kentucky Department of Fish and Wildlife Resources.
8. From Kentucky Employers' Mutual Insurance Authority: Quarterly Statement and Financial Status for the periods ending March 31 and June 30, 2019.
9. From the Kentucky Employers' Mutual Insurance Authority: Statement of Assets, Liabilities, and Policyholder Equity; Statement of Income; and Statement of Solvency as of March 31 and June 30, 2019. Pursuant to KRS 342.821.
10. From the Auditor of Public Accounts: 2019 Data Bulletin: The Establishment and Oversight of Multi-County Regional Jails in Kentucky.
11. From the Auditor of Public Accounts: 2018 Lung Cancer Research Fund Independent Accountant's Report. Pursuant to KRS 164.476.
12. From the Auditor of Public Accounts: 2018 Early Childhood Development Fund Independent Accountant's Report. Pursuant to KRS 200.151.
13. From the Auditor of Public Accounts: 2018 Rural Development Fund Independent Accountant's Report. Pursuant to KRS 248.655.
14. From the Auditor of Public Accounts: 2018 Kentucky Health Care Improvement Fund Independent Accountant's Report. Pursuant to KRS 194A.055.
15. From the Cabinet for Health and Family Services: 2019 Privatization of Child Welfare Services Recommendations developed by the RS18 House Bill 1 Study Group. Pursuant to KRS 620.345(5).
16. From the Cabinet for Health and Family Services: 2019 Diabetes Report. Pursuant to KRS 211.752.
17. From the Cabinet for Health and Family Services: FY18-19 Kentucky Citizen Review Panel Annual Work Report. Pursuant to KRS 620.190.
18. From the Office of the Attorney General: 2019 Report on the Status of the Administrative Hearing Process in the Commonwealth of Kentucky. Pursuant to KRS 15.111(2)(f).
19. From the Cabinet for Health and Family Services: 2019 Kentucky Stroke Encounter Quality Improvement Project (SEQIP) Annual Report. Pursuant to KRS 211.575.
20. From the Sexual Assault Response Team Advisory Committee: 2019 Second Annual SAFE Act Report. Pursuant to KRS 403.707(5).
21. From the Cabinet for Health and Family Services: FFY 2020-21 Unified Block Grant Executive Summary. Pursuant to KRS 45.351.
22. From the Cabinet for Health and Family Services: 2018 HIV/AIDS Surveillance Report.
23. From the Justice and Public Safety Cabinet: 2019 Education Program on AIDS Annual Report. Pursuant to KRS 197.055.
24. From the Cabinet for Health and Family Services: Social Service Worker Caseload Averages. Pursuant to KRS 199.462(4).

25. From the Office of the Attorney General: Supplement to the 2019 Report on the Status of the Administrative Hearing Process in the Commonwealth of Kentucky.
26. From the Kentucky Transportation Cabinet: FY19 Operating and Financial Statement of the Kentucky Public Transportation Infrastructure Authority. Pursuant to KRS 175B.100(1).
27. From the Legislative Ethics Commission: 2019 Recommended Changes to the Code of the Legislative Ethics.
28. From the Cabinet for Health and Family Services: 2019 Annual Report on Child Abuse and Neglect Fatalities and Near Fatalities. Pursuant to KRS 620.050(12)(c).
29. From the Auditor of Public Accounts: Report of the Examination of Lease Law Compliance. Pursuant to KRS 43.050(2)(e).
30. From the Kentucky Housing Corporation: FY19 Methamphetamine Housing Clean-up Assistance Program Awards.
31. From the Kentucky Housing Corporation: FY19 Kentucky Affordable Housing Trust Fund Fiscal Year Awards.
32. From the Cabinet for Health and Family Services: 2019 Family Preservation Services Annual Report. Pursuant to KRS 200.575(1).
33. From the Auditor of Public Accounts: 2018 Report of the Audit of the Kentucky Law Enforcement Memorial Foundation, Inc.

There being no further business, the meeting was adjourned.