

# LEGISLATIVE RESEARCH COMMISSION

## Minutes

**October 2, 2024**

### **Call to Order and Roll Call**

The 577<sup>th</sup> meeting of the Legislative Research Commission was held on October 2, 2024, at 1:30 PM in Room 154 of the Capitol Annex. Senator Robert Stivers, Chair, called the meeting to order, and the secretary called the roll.

### **Present were:**

Members: Representative David W. Osborne, Co-Chair; Senator Robert Stivers, Co-Chair; Senators Julie Raque Adams, David P. Givens, Gerald A. Neal, Damon Thayer, Reginald Thomas, Mike Wilson, and David Yates; Representatives Derrick Graham, David Meade, Jason Nemes, Rachel Roberts, Steven Rudy, and Cherlynn Stevenson.

LRC Staff: Christy Glass and Jay Hartz.

There being a quorum present, Senator Stivers called for a motion to approve the minutes of the May 9, 2024, meeting; accept as indicated items A. through I. under Staff and Committee Reports; approve items A. through P. under New Business; and accept and refer as indicated items 1 through 57 under Communications. A motion was made by Representative Rudy and seconded by Senator Yates, to approve, accept, or refer the following items and a roll call vote was taken.

DISPOSITION of minutes of the May 9, 2024, meeting.

### **STAFF AND COMMITTEE REPORTS**

- A. Committee reports since May 1, 2024.
- B. Reports of the Administrative Regulations Review Subcommittee meetings on May 14, June 11, July 9, August 13, and September 10, 2024.
- C. Committee review of administrative regulations by the Interim Joint Committee on Natural Resources and Energy during its meetings on June 6 and July 18, 2024.

- D. Committee review of administrative regulations by the Interim Joint Committee on Agriculture during its meeting on June 6, 2024.
- E. Committee review of administrative regulations by the Interim Joint Committee on Families and Children during its meetings on June 19, July 30, and August 28, 2024.
- F. Committee review of administrative regulations by the Interim Joint Committee on Transportation during its meeting on June 4, 2024.
- G. Committee review of administrative regulations by the Interim Joint Committee on Education during its meetings on July 16 and September 17, 2024.
- H. Committee review of the Low-Income Home Energy Assistance Program (LIHEAP) Block Grant Application FFY 2025 by the Interim Joint Committee on Natural Resources and Energy during its meeting on July 18, 2025.
- I. Committee review of administrative regulations by the Interim Joint Committee on Health Services during its meetings on July 30 and August 28, 2024.

## NEW BUSINESS

- A. Referral of administrative regulations to the following committees for secondary review pursuant to KRS 13A.290(6): **016 KAR 001:030E** (procedures for educator certificate surrender, revocation, suspension, reinstatement, and reissuance, and for application denial, **016 KAR 002:030E** (substitute teachers), **016 KAR 007:011** (repeal of 016 KAR 007:010), **016 KAR 009:010E** (provisional and professional certificate for exceptional work experience, **016 KAR 009:030** (professional and provisional certificate for college faculty), **016 KAR 009:080E** (university-based alternative certification program), **016 KAR 009:100E** (alternative route to certification institute), **702 KAR 003:320** (finance officer certification requirements), **704 KAR 003:313** (repeal of 704 KAR 003:303) and **704 KAR 008:130** (required Kentucky Academic Standards for Visual and Performing Arts) to **Education**; **922 KAR 001:350E** (requirements for public child welfare agency foster parents, adoptive parents, and respite

care providers) to **Families and Children**; **201 KAR 002:015** (continuing education), **201 KAR 002:470** (change of ownership) and **902 KAR 004:030** (newborn screening program) to **Health Services**; **201 KAR 027:006** (powers and duties of inspector), **201 KAR 027:023** (drug testing for boxing, kickboxing, and mixed martial arts, wrestling, and elimination event shows), **201 KAR 027:041** (managers) and **201 KAR 027:106** (violations, penalties, and appeals) to **Licensing, Occupations, and Administrative Regulations**; **301 KAR 001:410** (taking of fish by nontraditional fishing methods) and **807 KAR 005:015E** (access and attachments to utility poles and facilities) to **Natural Resources and Energy**; **031 KAR 004:031E** (reporting), **031 KAR 004:031** (reporting), **031 KAR 005:040E** (questions regarding voter eligibility), **031 KAR 005:040** (questions regarding voter eligibility), **040 KAR 010:010** (uniform procedure and timeline for conducting independent election inquiries) and **200 KAR 005:021** (manual of policies and procedures) to **State Government**; **601 KAR 009:220** (motor vehicle dealer plates) to **Transportation**; and **017 KAR 004:030** (Veterans' Service Organization Burial Honor Guard Program) to **Veterans, Military Affairs, and Public Protection**.

- B. From Jay Hartz, LRC Director: Memorandum appointing members to the Local Superintendents Advisory Council.
- C. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum appointing Representative Jason Petrie to the Legislative Oversight and Investigations Committee as an ex-officio member.
- D. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving changes to the Interim Joint Committee on Families and Children; Interim Joint Committee on Veterans, Military Affairs, and Public Protection; and the Budget Review Subcommittee on Health and Family Services.
- E. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving the Creation, Authorization, and Appointment of the 2024 Task Forces.
- F. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum appointing Representative Marianne Proctor to the Interim Joint Committee on Education.

- G. From Jay Hartz, LRC Director: Memorandum appointing Thom Cochran to the Local Superintendents Advisory Council.
- H. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum appointing non-legislative members to the Effective and Efficient School District Governance Task Force.
- I. From Senator Stephen West and Representative James Tipton, Co-Chairs of the Interim Joint Committee on Education: Memorandum requesting approval to meet outside the interim on December 10, 2024, at 11:00 a.m. There are no apparent conflicts.
- J. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving the removal of Representative Daniel Grossberg from the Interim Joint Committees on Natural Resources and Energy; Tourism, Small Business, and Information Technology; and Veterans, Military Affairs, and Public Protection.
- K. From Senator Mike Nemes and Representative Kim Banta, Co-Chairs of the Effective and Efficient School District Governance Task Force: Memorandum requesting approval to hold additional meetings on September 10 at 5:30 p.m., October 7 at 1:00 p.m., and November 14 at 2:00 p.m. The Co-chairs additionally request to hold the September 10 meeting at the Male High School auditorium in Louisville. There are three potential conflicts.
- L. From Senate President Robert Stivers and House Speaker David Osborne: Memorandum approving the 2025 Regular Session Calendar.
- M. From Senator Chris McDaniel and Representative Jason Petrie, Co-Chairs of the Interim Joint Committee on Appropriations and Revenue: Memorandum requesting to meet outside the interim on December 3, at 1:00 p.m. to receive testimony on Medicaid. There are no apparent conflicts.
- N. From Senator Max Wise and Representative Robert Duvall, Co-Chairs of the Workforce Attraction and Retention Task Force: Memorandum requesting approval for an additional meeting on November 19, upon adjournment of the Interim Joint Committee on Economic Development and Workforce Investment. There are no apparent conflicts.

- O. From Senator Max Wise and Representatives Phillip Pratt and Kim King, Co-Chairs of the Interim Joint Committee on Tourism, Small Business, and Information Technology: Memorandum requesting approval to meet on November 14 at 1:00 p.m., rather than the regularly scheduled meeting day of November 19. There are three (3) known conflicts.
- P. From Senator Amanda Mays Bledsoe and Representative Josh Bray, Co-Chairs of the Artificial Intelligence Task Force: Memorandum requesting approval to hold an additional meeting on October 29, at 11:00 a.m.. There are no apparent conflicts.

#### I. COMMUNICATIONS

- 1. 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 FY24 Accounting Periods 10, 11, 12, and 13, FY25 Accounting Periods 1 and 2, and year-to-date activity for the periods of April 1, 2024, through August 30, 2024.
- 2. From the Cabinet for Economic Development: Construction activity reports for each loan approved as of the quarter ending June 30, 2024.
- 3. From the Governor's School for Entrepreneurs: Second and Third Quarter Financial Reports for FY 2024.
- 4. From the Cabinet for Health and Family Services: 2023 Homeless Prevention Project Report.
- 5. From the Justice and Public Safety Cabinet: 2023 Restrictive Housing Annual Report.
- 6. From the Justice and Public Safety Cabinet: FY 24 2<sup>nd</sup> Quarter Substance Abuse Treatment and Job Training Pilot.
- 7. From the Auditor of Public Accounts: FY23 Report of the Audit of the Kentucky Department of Fish and Wildlife Resources.
- 8. From the Personnel Cabinet: Kentucky Employers' Health Plan, 2024 1<sup>st</sup> and 2<sup>nd</sup> Quarters Payment Integrity Findings Report.

9. From Kentucky Employers Mutual Insurance: Quarterly Statements for the quarters ending March 31 and June 30, 2024, and statement of assets, liabilities, and policyholder equity as of March 31 and June 30, 2024.
10. From the Office of the State Budget Director: FY 24 Third and Fourth Quarter Economic and Revenue Report.
11. From the Workers' Compensation Funding Commission: Restricted Financial Institution Report.
12. From the Cabinet for Health and Family Services: Social Service Worker Caseload Averages Reports for January through June 2024.
13. From the Education and Labor Cabinet: Department of Workers' Claims First and Second Quarter Reports for the months of January-June 2024.
14. From the Council on Postsecondary Education: 2024 Report of Orientation and Education Program for CPE and campus board members.
15. From the Justice and Public Safety Cabinet: FY24 3<sup>rd</sup> Quarter Population Management Report.
16. From the Auditor of Public Accounts: FY24 Report of the Audit of the Kentucky Board of Nursing.
17. From the Auditor of Public Accounts: FY24 Report of the Audit of the Northern Kentucky Convention Center Corporation.
18. From the Department of Education: 2024-2026 Biennial Plan for Validation Studies.
19. From the Tourism, Arts and Heritage Cabinet: HJR 56 Report.
20. From the Department of Health and Family Services: 2024 Stroke Encounter Quality Improvement Project (SEQIP) Annual Report.
21. From the Education and Labor Cabinet: Unemployment Insurance Report, 3<sup>rd</sup> Quarter, 2024.

22. From the Education and Labor Cabinet: FY24 Telecommunications Access Program (TAP) Annual Report.
23. From the Auditor of Public Accounts: Report of the Audit of the Northern Kentucky Convention Center Corporation.
24. From the University of Kentucky: FY24 Citizen Review Panels Annual Report.
25. From the Justice and Public Safety Cabinet: 2024 Domestic Violence Data Report.
26. From the Justice and Public Safety Cabinet: 2024 Education Program on AIDS Annual Report.
27. From the Office of Broadband Development: June 2024 Semiannual Report.
28. From the Personnel Cabinet: 2023 Annual Turnover Report of 15% and Greater.
29. From the Justice and Public Safety Cabinet: 2024 Lee Adjustment Center Annual Report.
30. From the Kentucky Housing Corporation: FY24 Affordable Housing Trust Fund Awards.
31. From the Kentucky Housing Corporation: FY24 Rural Housing Trust Fund Awards.
32. From the Personnel Cabinet: Personnel Cabinet Quarterly Report as of June 30, 2024.
33. From the Auditor of Public Accounts: FYS 23-24 Report of the Audit of the Kentucky 911 Services Board.
34. From the Justice and Public Safety Cabinet, Department of Corrections: KRS 196.031 FY24 Annual Report.

35. From the University of Kentucky, College of Agriculture: Kentucky Tobacco Research and Development Center 4<sup>th</sup> Quarter Report.
36. From the Kentucky Personnel Cabinet: Kentucky Employees' Health Plan (KEHP) Medical Benefits Claims Monitoring – Second Quarter 2024 Findings Report.
37. From the Department of Fish and Wildlife Resources: 2024 Annual Report of Law Enforcement Professional Standards Update.
38. From the Justice and Public Safety Cabinet, Department of Corrections: Certificate of Employability Annual Report.
39. From the Justice and Public Safety Cabinet, Department of Corrections: 2024 Prison Industries Enhancement Certification Program (PIECP) Annual Report.
40. From the Justice and Public Safety Cabinet, Department of Corrections: 2024 Kentucky State Corrections Commission Annual Report.
41. From the Kentucky Public Pension Authority: FY24 KERS Nonhazardous Employer Contractor Report.
42. From the Finance and Administration Cabinet, Department of Revenue: 2024 Insurance Premiums Surcharge due from each Kentucky-licensed property.
43. From the Justice and Public Safety Cabinet: 2023-2024 Annual Report of the Office of the State School Security Marshall.
44. From the University of Kentucky Cannabis Center: 2024 Progress Report.
45. From the Cabinet for Health and Family Services: 2024 Substance Abuse Funding Report.
46. From the Department of Education: 2022-2024 Biennial Validation Studies.
47. From the Tourism, Arts and Heritage Cabinet: FY24 1 Percent Statewide Lodging Tax.



48. From Kentucky State University: Monthly Financial Updates for April, June, and August 2024.
49. From the Justice and Public Safety Cabinet: 2023 Combined Annual Report of the Kentucky Office of Drug Control Policy and Kentucky Agency for Substance Abuse Policy.
50. From the Tourism, Arts and Heritage Cabinet: FY24 American Rescue Plan Act Report.
51. From the Office of the State Budget Director: FY25-27 Tax Expenditure Analysis.
52. From the Energy and Environment Cabinet: FY24 Hazardous Waste Management Fund Report.
53. From the Cabinet for Health and Family Services: 2024 HIV/AIDS Planning and Advisory Council (KHPAC) Annual Report.
54. From the Department of Military Affairs: FY24 Military Family Assistance Trust Fund Annual Report.
55. From the Cabinet for Health and Family Services, Department for Public Health: 2023 Annual Abortion Report.
56. From the Cabinet for Health and Family Services, Office of the Inspector General: 2024 Audit of Required Abortion-related Information Reported to the Vital Statistics Branch for CY23.
57. From the Department of Fish and Wildlife Resources: 2024 No Net Loss Report.

The motion passed unanimously.

Senator Thomas and Senator Stivers extended their thanks for the outstanding job LRC staff did in organizing and executing the 2024 NCSL Legislative Summit. They mentioned the positive feedback received from attendees, both through written notes and personal phone calls.

Representative Graham thanked staff for all they have done and said it has been an honor to serve his district.

There being no further business, the meeting was adjourned.