GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY

2016 REGULAR SESSION

HOUSE BILL NO. 216

AS ENACTED

TUESDAY, MARCH 29, 2016

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DATE April 13, 2016
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ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY K. Adler

1 AN ACT relating to the Kentucky Economic Development Partnership.

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

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

4 (1) (a) The Kentucky Economic Development Partnership, a board governing the
5 Cabinet for Economic Development, is created and established, performing
6 essential governmental and public functions and purposes essential to
7 improving and promoting the health and general welfare of the people of the
8 Commonwealth through sustainable economic development, as prescribed in
9 KRS 154.1-020.

10 (b) The board shall have reorganization powers and authority as prescribed in
11 KRS 12.028 and shall constitute an administrative body as defined in KRS
12 12.010, but it and the cabinet shall not be subject to ~~[the]~~ reorganization by
13 the Governor, KRS Chapter 12 notwithstanding.

14 (c) The board shall serve as the governing body of the cabinet and shall exercise
15 all powers and authorities conferred upon it by statute, including, but not
16 limited to, the following functions:

17 1. Strategic planning;

18 2. Finance;

19 3. Business assistance;

20 4. Marketing and promotion;

21 5. Community development;

22 6. Workforce development;

23 7. Innovation; and

24 8. All economic development powers and authorities not specifically
25 conferred by statute to another agency or authority of state government.

26 (2) The board shall consist of thirteen (13) voting members and two (2) nonvoting
27 members. The thirteen (13) voting members shall consist of the Governor, the

1 secretary of the Finance and Administration Cabinet, the secretary of the Public
2 Protection Cabinet, the secretary of the Energy and Environment Cabinet, the
3 secretary of the Labor Cabinet, and eight (8) private sector members who shall be
4 appointed by the Governor. The secretary of the Governor's Executive Cabinet shall
5 serve as a voting member upon the absence of the Governor. The secretary of the
6 Cabinet for Economic Development and the secretary of the Tourism, Arts and
7 Heritage Cabinet shall serve as nonvoting members.
8 (3) ~~[By no later than thirty (30) days after July 14, 1992,]~~The governing bodies of each
9 of the following organizations shall~~[meet and]~~ nominate two (2) persons from each
10 of the six (6) Congressional districts of the Commonwealth and two (2) persons
11 from the state at large, as candidates for~~[the initial]~~ appointment as private sector
12 members to the board:
13 (a) The Kentucky~~[Industrial Development Council]~~***Association for Economic***
14 ***Development***;
15 (b) The ~~[Associated Industries of]~~Kentucky ***Association of Manufacturers***;
16 (c) The Kentucky State AFL-CIO;
17 (d) The Kentucky Farm Bureau Federation;
18 (e) The Kentucky Chamber of Commerce; and
19 (f) The ~~[Kentucky Economic Development Corporation]~~***National Federation of***
20 ***Independent Businesses/Kentucky***.
21 (4) The Governor shall select the original eight (8) private sector members from the
22 aggregation of the lists provided pursuant to subsection (3) ***of this section*** with at
23 least one (1) appointment being chosen from each organization's list and at least one
24 (1) appointment being chosen from each Congressional district. ~~[After the initial~~
25 ~~appointments,]~~Appointments to vacancies shall be made in the same manner as
26 prescribed in ~~[subsection]~~***subsections*** (3) ***and (4)*** of this section, except that there is
27 no requirement that the vacancy be filled from the same organization's list as the

1 original appointment.

2 (5) ~~[The terms of office of the initial appointments of the private sector members to the~~
3 ~~board shall be staggered so that one-fourth (1/4) of all appointments shall expire~~
4 ~~one (1), two (2), three (3), and four (4) years, respectively, from the date of their~~
5 ~~appointment.]~~ All ~~[succeeding]~~ appointments shall be for four (4) years.

6 (6) In making appointments to the board, the Governor shall assure broad geographical
7 representation, as well as representation from the major sectors of Kentucky's
8 economy by leading executives with a knowledge of the problems of large and
9 small businesses, local economic development, and the transfer of research and
10 development from the laboratory to the marketplace. In filling vacancies, the
11 Governor shall ~~[attempt to]~~ assure the continuing representation on the board of
12 broad constituencies of Kentucky's economy, including manufacturing and
13 agriculture.

14 (7) Vacancies on the board which may occur from time to time shall be filled as
15 follows:

16 (a) Any vacancy which occurs shall be filled for the unexpired term in accordance
17 with the procedures established ***in subsections (3) and (4) of this section***~~[for~~
18 ~~the original appointment]~~.

19 (b) If any private sector member misses more than two (2) consecutive meetings
20 of the board, then that position shall be declared vacant and filled in
21 accordance with this section.

22 (8) The board shall meet ~~[quarterly]~~***semi-annually*** and at other times upon call of the
23 chairman or a majority of the board.

24 (9) A quorum shall be a majority of the voting membership of the board.

25 (10) A quorum shall be required to organize and conduct the business of the board,
26 except that an affirmative vote of seven (7) or more members of the entire board
27 shall be required to ~~[fire]~~***terminate the employment of*** the cabinet's secretary, and

1 to adopt or amend the strategic plan.

2 (11) Private sector members shall serve without compensation but shall be reimbursed
3 for all reasonable, necessary, and actual expenses.

4 (12) All existing duties, responsibilities, functions, personnel, programs, funds,
5 obligations, records, and real and personal property of the Cabinet for Economic
6 Development, as of July 14, 1992, shall be under the authority and control of the
7 board.

Speaker-House of Representatives

President of Senate

Attest: Sean T. Burgin
Chief Clerk of House of Representatives

Approved
Governor

Date 13 APRIL 2016