

2018 REGULAR SESSION

HOUSE STANDING COMMITTEE ON ECONOMIC DEVELOPMENT &
WORKFORCE INVESTMENT

4th Meeting

March 1, 2018

The House Standing Committee on Economic Development & Workforce Investment held its 4th meeting of the 2018 Regular Session on March 1, 2018, at 8:00 AM, in Room 129 of the Capitol Annex. The Chair called the meeting to order, and the secretary called the roll.

Members Present: Representative Phillip Pratt, Chair; Representative Daniel Elliott, Vice Chair; Representatives Lynn Bechler, McKenzie Cantrell, Jim DeCesare, Jim Gooch Jr., Joni L. Jenkins, Kim King, Adam Koenig, Jerry T. Miller, Jason Petrie, Steve Riley, Rob Rothenburger, Diane St. Onge, Wilson Stone, Russell Webber, and Scott Wells.

LRC Staff: Carla Montgomery, Andrew Manno, and Sasche Allen.

Following is a summary of committee action on the bills that were considered:

HB 382 – AN ACT relating to the Labor Cabinet.

Representative James Tipton, sponsor; Deputy Secretary Mike Nemes, Labor Cabinet; and Brooken Smith, Chief of Staff, Labor Cabinet, explained and spoke in favor of the bill. Bill Finn, State Director, Kentucky State Building and Construction Trades Council and Larry Roberts, Legislative Agent, Kentucky Pipe Trades Association, spoke in opposition of the bill.

HB 382 amends KRS 12.020 to remove the Division of Workers' Compensation Funds from the Department of Workers' Claims and remove the Occupational Health and Safety Standards Board; amend KRS 224.20-320 to remove the OSH Standards Board and insert the Labor Cabinet secretary; amend KRS 336.015 to remove the OSH Standards Board; amends KRS 336.020 to remove the Division of Workers' Compensation Funds from the Department of Workers' Claims; creates a new section in KRS Chapter 336 to set forth the authority of the inspector general including subpoena power; amend KRS 338.015 to remove the OSH Standards Board from the definitions; amends KRS 338.061 to remove the OSH Standards Board and give the Labor Cabinet secretary its authority; amends KRS 342.120 to give the Kentucky Workers' Compensation funding commission the authority as formerly possessed by the Division of Workers' Compensation Funds to be responsible for the special fund claims and records; amends KRS 342.232 to require the funding commission and KEMI to report on the CWP fund annually instead of quarterly; amends KRS 342.265 to conform; repeals KRS 337.200 and 337.994 pertaining to performance

ATTENDANCE ROLL CALL

MINUTE REPORTS

bonds for wages from employers engaged in construction work or the severance, preparation, or transportation of minerals, KRS 338.051 abolishing the OSH Standards Board, and KRS 342.235 relating to travel expenses for the Department of Workers' Claims staff.

A motion on HB 382 was made by Representative Kim King and seconded by Representative Jim DeCesare. A roll call vote was taken with 14 members voting yes and three members voting no. HB 382 was reported with the expression of opinion that the same should pass.

HB 388/LM – AN ACT relating to the Kentucky Workers' Compensation Funding Commission.

Representative James Tipton, sponsor; Deputy Secretary Mike Nemes, Labor Cabinet; Brooken Smith, Chief of Staff, Labor Cabinet; and Reuben Jones, Executive Director, Kentucky Workers' Compensation Funding Commission, explained and spoke in favor of the bill. Prentice Harvey, Legislative Agent, American International Group (AIG), spoke in opposition of the bill.

HB 388 amends KRS 342.0011 to define "deductible program adjustment" and specify items to be considered on policies with provision for deductibles; amends KRS 342.122 to require all assessments to be remitted electronically beginning on January 1, 2020; amends KRS 342.1221 to clarify that interest is paid for late payment of expenses; amends KRS 342.1231 to change the term "taxpayer" to "assessment payer"; sets a 7-year limitation from the date of the quarterly premium report or amended quarterly premium report for assessments; requires records to be preserved for audits, explain when payment is final, and when a refund should be returned; amends KRS 342.1242 to require KEMI to reimburse for expenses to collect the coal assessment; amends KRS 342.1243 to clarify when assessments for the coal workers' pneumoconiosis fund cease and when the fund is abolished.

A motion was made to adopt proposed committee substitute 1 to HB 388 by Representative Daniel Elliott and seconded by Representative Jason Petrie. The committee substitute was adopted by voice vote.

A motion on HB 388 as amended by committee substitute 1 was made by Representative Jim DeCesare and seconded by Representative Jason Petrie. A roll call vote was taken with 14 members voting yes, zero voting no, and three members voting to pass. HB 388 as amended by committee substitute 1 was reported with the expression of opinion that the same should pass.

With there being no further business before the committee, the meeting adjourned at 8:45 a.m.

2018 REGULAR SESSION - REPORT OF COMMITTEE

The House Standing Committee on Economic Development & Workforce Investment to which was referred HB 382, entitled "AN ACT relating to the Labor Cabinet.", have had the same under consideration, and report it with the expression of opinion that the same:

- Should pass.
- Should pass, with the committee amendment(s) _____ attached thereto.
- Should pass, with committee title amendment _____ attached thereto.
- Should pass, with the committee substitute _____ attached thereto.
- Should pass to consent calendar.
- Should not pass.

3-1-2018 _____
 Date X Phillip Pratt _____
Chair

Rep Lynn Bechler	<u>Yes</u> No Pass	Rep Dean Schamore	Yes No Pass
Rep McKenzie Cantrell	Yes <u>No</u> Pass	Rep Diane St. Onge	<u>Yes</u> No Pass
Rep Jim DeCesare	<u>Yes</u> No Pass	Rep Wilson Stone	Yes <u>No</u> Pass
Rep Daniel Elliott	<u>Yes</u> No Pass	Rep Gerald Watkins	Yes No Pass
Rep Al Gentry	Yes No Pass	Rep Russell Webber	<u>Yes</u> No Pass
Rep Jim Gooch Jr.	<u>Yes</u> No Pass	Rep Scott Wells	<u>Yes</u> No Pass
Rep Toby Herald	Yes No Pass	Rep Addia Wuchner	Yes No Pass
Rep Dennis Horlander	Yes No Pass	Rep Phillip Pratt, Chair	<u>Yes</u> No Pass
Rep Joni L. Jenkins	Yes <u>No</u> Pass	_____	Yes No Pass
Rep James Kay	Yes No Pass	_____	Yes No Pass
Rep Kim King	<u>Yes</u> No Pass	_____	Yes No Pass
Rep Adam Koenig	<u>Yes</u> No Pass	_____	Yes No Pass
Rep Russ A. Meyer	Yes No Pass	_____	Yes No Pass
Rep Jerry T. Miller	<u>Yes</u> No Pass	_____	Yes No Pass
Rep Jason Petrie	<u>Yes</u> No Pass	_____	Yes No Pass
Rep Steve Riley	<u>Yes</u> No Pass	_____	Yes No Pass
Rep Rob Rothenburger	<u>Yes</u> No Pass	_____	Yes No Pass

ROLL CALL 14 Yes 3 No 0 Pass

REQUEST OF COMMITTEE ON REPORTING "CONSENT" BILL

I, Representative Phillip Pratt, Chair of the House Standing Committee on Economic Development & Workforce Investment, with unanimous consent of the members present at meeting of said Committee, do hereby report HB 382 as uncontested with the recommendation that it be placed on the Consent Calendar.

 Chair

2018 REGULAR SESSION - REPORT OF COMMITTEE

The House Standing Committee on Economic Development & Workforce Investment to which was referred HB 388, entitled "AN ACT relating to the Kentucky Workers' Compensation Funding Commission.", have had the same under consideration, and report it with the expression of opinion that the same:

- _____ Should pass.
- _____ Should pass, with the committee amendment(s) _____ attached thereto.
- _____ Should pass, with committee title amendment _____ attached thereto.
- _____ Should pass, with the committee substitute _____ attached thereto.
- _____ Should pass to consent calendar.
- _____ Should not pass.

3-1-2018
Date

Phillip Pratt
Chair

Rep Lynn Bechler	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep McKenzie Cantrell	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Pass
Rep Jim DeCesare	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Daniel Elliott	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Al Gentry	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Jim Gooch Jr.	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Toby Herald	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Dennis Horlander	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Joni L. Jenkins	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Pass
Rep James Kay	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Kim King	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Adam Koenig	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Russ A. Meyer	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Jerry T. Miller	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
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Rep Steve Riley	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Rob Rothenburger	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass

Rep Dean Schamore	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Diane St. Onge	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Wilson Stone	<input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> Pass
Rep Gerald Watkins	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Russell Webber	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Scott Wells	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Addia Wuchner	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
Rep Phillip Pratt, Chair	<input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Pass
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ROLL CALL 14 Yes 0 No 3 Pass

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Chair

ATTENDANCE ROLL CALL

House Economic Development & Workforce Investment Committee

Date of Meeting: March 1, 2018

- Rep. Lynn Bechler ✓
- Rep. McKenzie Cantrell ✓
- Rep. Jim DeCesare ✓
- Rep. Daniel Elliott ✓
- Rep. Al Gentry
- Rep. Jim Gooch, Jr. ✓
- Rep. Toby Herald
- Rep. Dennis Horlander
- Rep. Joni L. Jenkins ✓
- Rep. James Kay
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- Rep. Steve Riley ✓
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- Rep. Dean Schamore
- Rep. Diane St. Onge ✓
- Rep. Wilson Stone ✓
- Rep. Gerald Watkins
- Rep. Russell Webber ✓
- Rep. Scott Wells ✓
- Rep. Addia Wuchner
- Rep. Phillip Pratt, Chair ✓

QUORUM 13

PRESENT 17