

COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
DIVISION I
CIVIL ACTION NO. 16-CI-00552

GENERAL DRIVERS, WAREHOUSEMEN
& HELPERS, *et al.*

PETITIONERS

v.

MATTHEW G. BEVIN, GOVERNOR, *et al.*

RESPONDENTS

AFFIDAVIT OF MICHAEL T. ALEXANDER

Comes the affiant, Michael T. Alexander, first being duly sworn, and states as follows:

1. I am a citizen and resident of the Commonwealth of Kentucky and am over the age of twenty-one (21) years.
2. I am currently employed in the Office of Governor as Deputy General Counsel. I have held this position for approximately 23 years.
3. I have personally reviewed the records of the Governor's Executive Journal for the administration of former Governor Brereton C. Jones, Governor Paul E. Patton, Governor Ernie Fletcher and Governor Steven L. Beshear.
4. Based on the aforementioned review, there have been a total of 357 Executive Reorganization Orders issued pursuant to the provisions of KRS 12.028 as follows.

Governor Brereton C. Jones – 58

Governor Paul E. Patton – 121

Governor Ernie Fletcher – 75



5. Of the total number of Executive Reorganization Orders issued by the previous Governors mentioned above, 34 Orders abolished and/or recreated agencies that involved changes to existing statutory memberships by expanding or reducing existing statutory memberships. The following are representative examples:
 - A. Governor Steven L. Beshear Executive Order 2014-834 – Relating Reorganization of the Kentucky State Fair Board which increased the statutory membership from 15 to 19 members and eliminated the appointments by the Speaker of the House and the President of the Senate. Attached hereto as Exhibit A.
 - B. Governor Ernie Fletcher Executive Order 2004-030 Relating to Establishment of the Kentucky Horse Racing Commission and Abolition of the Kentucky Horse Racing Authority which eliminated the statutory terms of previously appointed members and new members were appointed. Attached hereto as Exhibit B.
 - C. Governor Paul E. Patton Executive Order 2001-83 Relating to the Kentucky Mining Board which abolished and recreated the Board thereby increasing the statutory membership from 8 to 9 members. Attached hereto as Exhibit C.
 - D. Governor Brereton C. Jones Executive Order 92-1060 Relating to Expansion of the State Board of Agriculture which increased the membership from 7 to 12 members. Attached hereto as Exhibit D.


6. In addition, it should be noted that several Orders abolished and/or recreated Executive Cabinets. In fact, one Order even abolished and recreated the entire Executive Branch of Government. Attached hereto as Exhibit E.

The foregoing is true and accurate to the best of my knowledge and belief.


Michael T. Alexander

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FRANKLIN)

Subscribed and sworn to before me this 31st day of May, 2016, by Michael T. Alexander.


Notary Public

My commission expires on the 19 day of Sept, 2017.

EXHIBIT A



STEVEN L. BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2014-834
October 6, 2014

RECEIVED AND FILED
DATE October 6, 2014
4:16 pm
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Allen

**RELATING TO REORGANIZATION OF THE
KENTUCKY STATE FAIR BOARD**

WHEREAS, it is the responsibility of state government to provide the citizens of this Commonwealth with an economical and efficient government structure, as well as regulatory practices that are administered in a consistent, ethical, and coordinated manner; and

WHEREAS, pursuant to KRS 247.090, the Kentucky State Fair Board is composed of fifteen (15) members, with two (2) being appointed by the Governor from lists of nominees submitted by organizations which are inactive, without a local Kentucky Chapter, and/or no longer exist; and

WHEREAS, it has been determined that the Kentucky State Fair Board, as established by the provisions of Chapter 247 of the Kentucky Revised Statutes, should be abolished, recreated, and restructured with an enhanced governing membership reflective of the expanded role of the Kentucky State Fair Board in attracting world-class events in the agricultural, agri-business, and entertainment arenas, and establishing such regulatory and marketing considerations necessary to promote the safety and success of these endeavors:

NOW, THEREFORE, I, Steven L. Beshear, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Kentucky Constitution and KRS 12.028, do hereby Order and Direct the following:

- I. The Kentucky State Fair Board ("Board") is hereby recreated and established as an agency of state government charged with the responsibility for regulatory oversight and the establishment of sound policies and procedures governing the operations at the state fair grounds and the Kentucky International Convention Center for agricultural and industrial exhibitions, conventions, trade shows, public gatherings, and other functions calculated to advance and enhance the visitor industry, economy, entertainment, cultural, and educational interests of the public.



STEVEN L. BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2014-834
October 6, 2014

- II. The State Fair Board shall be composed of nineteen (19) members as follows:
- (a) The Governor or his or her designee;
 - (b) The Commissioner of Agriculture or his or her designee;
 - (c) The dean of the College of Agriculture of the University of Kentucky;
 - (d) Eight (8) members appointed by the Governor from the state at large with due consideration to geographical distribution throughout the state;
 - (e) One (1) member appointed by the Governor from the state at large who is involved with or experienced in animal agriculture;
 - (f) One (1) member appointed by the Governor from the state at large who is involved with or experienced in agribusiness;
 - (g) One (1) member appointed by the Governor from a list of six (6) nominees provided by the Kentucky Association of Fairs and Horse Shows.
 - (h) One (1) member appointed by the Governor from a list of six (6) nominees provided by the Louisville Convention and Visitors Bureau representing the hospitality and tourism industry.
 - (i) One (1) member appointed by the Governor from a list of six (6) nominees submitted by the governing body of the American Saddlebred Horse Association.
 - (j) One (1) member appointed by the Governor from a list of six (6) nominees submitted by the governing body of the Kentucky Farm Bureau Federation.
 - (k) The State President of the Kentucky FFA Association, known as the State FFA President, who shall serve as an ex officio, non-voting member for the duration of his or her term as student leader of the Association.
 - (l) The State President of the Kentucky 4-H Organization, known as the State 4-H President, who shall serve as an ex officio, non-voting member for the duration of his or her term as student leader of the Organization.
- III. The terms of the appointed members of the board shall be for four (4) years dating from the beginning of the terms for which they were appointed and until their successors are appointed. Political affiliation of the appointed members shall be as evenly divided as possible between the two (2) political parties polling the largest number of votes in the state at general elections. In case of a vacancy among the appointed members of the board, the unexpired term shall be filled pursuant to the requirements and procedures for original appointments. Except for the State FFA President and the State 4-H President, members of the Board shall be voting members, shall receive one hundred dollars (\$100.00) per day for each meeting attended, and shall be reimbursed for all expenses paid or incurred in the discharge of official business.
- IV. The Governor shall appoint one (1) member of the Board to serve as its chairperson. The Governor shall further designate a second member to serve as vice chair with authority to act in the absence of the chair. A majority of the voting members of the Board shall constitute a quorum for the transaction of business.



STEVEN L. BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2014-834
October 6, 2014

V. Except as otherwise provided, the Board shall have exclusive control and direction over all duties, functions, and responsibilities previously exercised by the former Kentucky State Fair Board. All authority, functions and responsibility vested in the former Kentucky State Fair Board are hereby transferred to the newly recreated and established Board herein, which shall utilize that authority, function, and responsibility to carry out the functions of the Board. The Kentucky State Fair Board as it existed prior to the issuance of this Order is hereby abolished. All duties, functions, responsibilities, records, equipment, staff, and supporting budgets of the former Kentucky State Fair Board and all functions, rights, powers, duties, and obligations as set forth in the Kentucky Revised Statutes and other relevant provisions of the law are hereby transferred to the newly recreated and established Board herein.

VI. Members currently serving on the former Kentucky State Fair Board, now abolished, shall continue to serve on the newly recreated and established Board until the expiration date of their term of service under any previous Order of appointment, as set forth below:

(a) For a term expiring December 12, 2014:

Andrew Marshall Coyle
P.O. Box 241
Owingsville, KY 40360
Representing Ky. Farm Bureau

Thomas J. Schifano
118 Promenade Ct.
Louisville, KY 40223
Representing state-at-large

(b) For a term expiring June 30, 2016:

Ronald L. Carmicle
1309 Leighton Circle
Louisville, KY 40222
Representing state-at-large

Mark E. Lynn
4802 Albrecht Court
Louisville, KY 40241
Representing state-at-large

(c) For a term expiring December 12, 2016:

James Michael Libs
6926 Boston Laffoon Road
Philpot, KY 42366
Representing state-at-large



STEVEN L. BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2014-834
October 6, 2014

Frederick Kelly Sarver
3648 Pleasant Springs Road
Carlisle, KY 40311
Representing American Saddlebred
Horse Association

VII. Additionally, the following individuals are hereby appointed to the newly recreated and established Board as follows:

(a) For a term expiring December 12, 2016:

Lois Mateus
1279 Central Pike
Harrodsburg, Kentucky 40330
Representing the state-at-large who is involved with
or experienced in agribusiness

Michael J. Grisanti
6 Overbrook Rd.
Louisville, KY 40207
Representing the hospitality and tourism industry

(b) For a term expiring December 12, 2017:

William B. Tolle
8254 Orangeburg Road
Maysville, KY 41056
Representing the state-at-large who is involved with
or experienced in animal agriculture

Ann Bakhaus
4360 Bosworth Lane
Lexington, KY 40510
Representing the state-at-large

Jennifer Barber
10417 Edgewater Rd.
Louisville, KY 40223
Representing the state-at-large

(c) For a term expiring July 15, 2018:

Ryan Bridgeman
4703 Brownsboro Gardens Drive
Louisville, KY 40241
Representing the state-at-large



STEVEN L. BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2014-834
October 6, 2014

Jimmy Cauley
3700 Kernen Court
Louisville, KY 40241
Representing the state-at-large

Gibson Garrett Gosser
412 College Street
Somerset, KY 42501
Representing KY Association of Fairs & Horse Shows

(d) Austin Hazelwood
500 Mero Street, Room 2023
Frankfort, KY 40601
Current FFA President

Jordan Slone
212 Scovell Hall
Lexington, KY 40546
Current 4H President

- VIII. I hereby name Mark E. Lynn to serve as Chair and James Michael Libs to serve as Vice-Chair.
- IX. The Board, the Tourism and Heritage Cabinet, Personnel Cabinet, and the Finance and Administration Cabinet shall take all necessary action to effectuate the provisions of this Order.


STEVEN L. BESHEAR, GOVERNOR
Commonwealth of Kentucky


ALISON LUNDERGAN GRIMES
Secretary of State

REORGANIZATION PLAN

This Executive Order abolishes, recreates, and establishes the Kentucky State Fair Board. It increases its membership from fifteen (15) members to nineteen (19) members.

This reorganization is for administrative purposes with no resulting personnel or fiscal impact.

The reorganization will not result in any net increased expenditures to Kentucky state government.

EXHIBIT B



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004 - 030

January 6, 2004

Relating to Establishment of the
Kentucky Horse Racing Authority
and Abolition of the Kentucky Racing Commission

RECEIVED
AND FILED
JAN 6 2004
11:43 AM
SECRETARY OF STATE
COMMONWEALTH OF KY
R. Adair

WHEREAS, it is the responsibility of state government to provide the citizens of this Commonwealth with an economical and efficient governmental structure, as well as regulatory practices which are administered in a consistent, ethical and coordinated manner; and

WHEREAS, I campaigned for Governor with a commitment to streamline state government and ensure that the citizens of Kentucky get the best value for their tax dollars; and

WHEREAS, known as the Horse Capital of the World, Kentucky is the setting for one of the most regal businesses, its signature horse industry, with a multitude of gorgeous horse farms that include stately historic homes and miles of stone walls and white fences, all of which produce a considerable economic benefit to the state's economy; and

WHEREAS, the horse industry contributes more than five (5) billion dollars annually to the state's economy, which is approximately 7.5 percent of the entire state gross business revenue, and accounts for about 75,000 jobs to Kentucky's economy; and

WHEREAS, the Kentucky horse breeding and racing industry is facing an unprecedented set of challenges that, over time, have the potential to undercut Kentucky's position as the nation's leading horse state, and the Horse Capital of the World; and

WHEREAS, I campaigned for Governor with a commitment to take proactive steps to enhance and grow Kentucky's signature horse industry by implementing measures which include, but are not limited to, appointing leaders of integrity, experience and sound judgment to oversee Kentucky's horse industry, taking steps to preserve Kentucky's horse farms, strengthening ties between Kentucky's horse industry and the state's Universities, as well as promoting Kentucky's horse and tourism industry; and

WHEREAS, it has been determined that the Kentucky Racing Commission, as established by the provisions of Chapter 230 of the Kentucky Revised Statutes, should be abolished, recreated and restructured with an increased governing membership and a more focused vision to promote economic development activities in the Commonwealth and safe-keep Kentucky's signature horse industry, all of which can occur within a framework and environment of governmental efficiency, economy and improved administration;

NOW, THEREFORE, I Ernie Fletcher, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by the Kentucky Constitution and KRS 12.028, do hereby order and direct the following:

- I. The Kentucky Horse Racing Authority (hereinafter "Authority") is hereby created and established as an independent agency of state government charged with the responsibility of regulating the conduct of horse racing and pari-mutual wagering on horse racing and



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2004 - 030

January 6, 2004

Secretary of State
Frankfort
Kentucky

related activities within the Commonwealth of Kentucky. The Authority shall be attached to the Environmental and Public Protection Cabinet for administrative purposes.

- II. The Authority shall consist of thirteen (13) members appointed by the Governor, with the Secretary of the Environmental and Public Protection Cabinet, Commerce Cabinet and Economic Development Cabinet serving as ex officio nonvoting members. Two (2) members shall have no financial interest in the business or industry regulated. The members of the Authority shall be appointed to serve for a term of three (3) years, except that of the members first appointed four (4) shall serve for a term of three (3) years, five (5) shall serve for a term of two (2) years, four (4) shall serve for a term of one (1) year. Any member appointed to fill a vacancy occurring otherwise than by expiration of a term shall be appointed for the remainder of the un-expired term. Members of the Authority shall receive Fifty Dollars (\$50) per day for each meeting attended and shall be reimbursed for all expenses paid or incurred in the discharge of official business.
- III. The Governor shall appoint one (1) member of the Authority to serve as its chairperson who shall serve at the pleasure of the Governor. The Governor shall further designate a second member to serve as vice-chair with authority to act in the absence of the chair. A majority of the members of the Authority shall constitute a quorum for the transaction of business.
- IV. Except as otherwise provided, the Authority shall be responsible for the following:
- a) Developing programs and procedures which will aggressively fulfill its oversight and regulatory role on such matters as race day medications,
 - b) Recommending tax incentives and other incentive options to ensure the strength and growth of the Thoroughbred industry so as to preserve Kentucky's horse farms and keep them economically viable and competitive,
 - c) Designing and implementing programs that strengthen the ties between Kentucky's horse industry and the state's Universities with the goal of significantly increasing the economic impact of the horse industry to Kentucky's economy,
 - d) Developing and supporting programs which ensure that Kentucky remains on the cutting edge of equine research and,
 - e) Developing and implementing programs that promote Kentucky's horse and tourism industry.



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2004 - 030

January 6, 2004

Secretary of State
Frankfort
Kentucky

- V. Except as otherwise provided, the Authority shall have exclusive control and direction over all duties, functions, and responsibilities previously exercised by the Kentucky Racing Commission. All authority, functions and responsibilities vested in the Kentucky Racing Commission are hereby transferred to the Authority, which shall utilize that authority, function and responsibility to carry out the functions of the Authority. The Kentucky Racing Commission is hereby abolished. All duties, functions, responsibilities, records, equipment, staff and supporting budgets of the Kentucky Racing Commission and all functions, rights, powers, duties, and obligations as set forth in the following statutes and other relevant provisions of law are hereby transferred to the Kentucky Horse Racing Regulatory Authority:
- KRS 230.070, 230.080, 230.090, 230.110, 230.210, 230.215, 230.218, 230.225, 230.230, 230.240, 230.250, 230.260, 230.265, 230.270, 230.280, 230.290, 230.300, 230.310, 230.320, 230.330, 230.340, 230.350, 230.355, 230.360, 230.361, 230.3611, 230.3615, 230.362, 230.363, 230.364, 230.365, 230.366, 230.367, 230.368, 230.369, 230.370, 230.371, 230.372, 230.373, 230.374, 230.375, 230.3751, 230.376, 230.377, 230.3771, 230.3773, 230.378, 230.379, 230.380, 230.398, 230.400, 230.443, 230.550, 230.555, 230.750, 230.760, 230.770 and 230.990. The terms of the members currently serving on the Kentucky Racing Commission shall expire immediately upon the filing of this Order.
- VI. To carry out the functions relating to its duties and responsibilities, the Governor shall appoint an executive director who shall serve at the pleasure of the Governor. The Governor shall set the qualifications and salary for the position of executive director under the provisions of KRS 64.640.
- VII. The executive director shall be responsible for the day-to-day operations of the Authority; set up appropriate organizational structures and personnel policies for approval by the Authority; appoint all staff; prepare annual reports on the Authority's program of work; carry out policy and program directives of the Authority; prepare and submit to the Authority for its approval the proposed biennial budget of the Authority; and perform all other duties and responsibilities assigned by state law.
- VIII. With approval of the Authority, the executive director may enter into agreements with any state agency or political subdivision of the state, any postsecondary education institution, or any other person or entity to enlist assistance to implement the duties and responsibilities of the Authority.



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004 - 030

January 6, 2004

- IX. All administrative regulations previously promulgated under the authority of the Kentucky Racing Commission prior to the filing of this Order shall remain in full force and effect and shall be administered by the Authority until such time as those regulations are reviewed and/or re-promulgated by the Authority.
- X. The Environmental and Public Protection Cabinet, the Governor's Office of Policy and Management, the Personnel Cabinet, and the Finance and Administration Cabinet shall take all necessary action to effectuate the provisions of this Order.
- XI. I hereby appoint the following to serve as members of the Authority:
- LaJuana Wilcher, Secretary, Environmental and Public Protection Cabinet, 5th Floor, Capitol Plaza Tower, Frankfort, Kentucky 40601, shall serve as ex-officio;
- Jim Host, Secretary, Commerce Cabinet, 24th Floor, Capitol Plaza Tower, Frankfort, Kentucky 40601, shall serve as ex-officio;
- Gene Strong, Secretary, Economic Development Cabinet, 2400 Capitol Plaza Tower, Frankfort, Kentucky 40601, shall serve as ex-officio;
- Larry F. Telle, 442 Lightfoot Road, Louisville, Kentucky 40207, to serve for a term expiring January 6, 2005;
- Don Ball, 4151 Old Frankfort Pike, Lexington, Kentucky 40510, to serve for a term expiring January 6, 2005;
- John Cashman, 1066 Heather Gate Court, Lexington, Kentucky 40511, to serve for a term expiring January 6, 2005;
- Tom Handy, 591 Middleground Way, London, Kentucky 40744, to serve for a term expiring January 6, 2005;
- Connie Whitfield, 108 Alumni Avenue, Hopkinsville, Kentucky 42240, shall serve as Vice Chairman, to serve for a term expiring January 6, 2006;
- Dell Hancock, 731 Winchester Road, Paris, Kentucky 40361, to serve for a term expiring January 6, 2006;
- Kerry Cauthen, 417 South Upper Street, Lexington, Kentucky 40508, to serve for a term expiring January 6, 2006;
- Jack Steinman, 76 Walker Road, Fort Thomas, Kentucky 41075, to serve for a term expiring January 6, 2006;
- Tom Ludt, 101 Katelyn Lane, Nicholasville, Kentucky 40356, to serve for a term expiring January 6, 2006;



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2004 - 030

January 6, 2004

Secretary of State
Frankfort
Kentucky

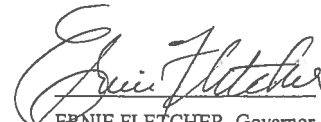
Bill Street, 406 Wynfield Close Court, Louisville, Kentucky 40206, shall serve as Chairman, to serve for a term expiring January 6, 2007;

Ben Walden, 1580 Lakewood Drive, Lexington, Kentucky 40509, to serve for a term expiring January 6, 2007;

Donna Smith, 1600 Harmony Hall Lane, Lexington, Kentucky 40502, to serve for a term expiring January 6, 2007; and

Doug Hendrickson, 180 Edgemont, Maysville, Kentucky 41056, to serve for a term expiring January 6, 2007.

Please issue Commissions to them.


ERNIE FLETCHER, Governor
Commonwealth of Kentucky


TREY GRAYSON
Secretary of State

REORGANIZATION PLAN

This Executive Order abolishes the Kentucky Racing Commission created under Chapter 230 of the Kentucky Revised Statutes and transfers its duties, functions, and responsibilities to the newly created Kentucky Horse Racing Authority. The reorganization is for administrative purposes with no resulting personnel or fiscal impact. Moreover, the reorganization will not result in any net increased expenditures to Kentucky state government.

EXHIBIT C



PAUL E. PATTON
GOVERNOR

RECEIVED AND FILED

DATE Jan. 19, 2001
3:36 pm
JOHN Y. BROWN III
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY H. Addison

EXECUTIVE ORDER

2001-83

January 19, 2001

Secretary of State
Frankfort
Kentucky

RELATING TO THE
KENTUCKY MINING BOARD AND THE DEPARTMENT OF MINES AND
MINERALS

WHEREAS, the Commonwealth of Kentucky strives to promote effective and efficient management of state government operations; and

WHEREAS, an important priority of the Commonwealth must be the health and safety of the coal industry's most valuable resource, the miner; and

WHEREAS, a review by the Governor of the operations of the Kentucky Mining Board ("Board") has revealed problems associated with the administration of sanctions, pursuant to KRS 351.105, against licensed premises and certified personnel who willfully and repeatedly violate Kentucky's mine safety laws as enforced by the Board; and

WHEREAS, the Governor has determined these problems must be addressed expeditiously in order to further protect the life and safety of miners in Kentucky; and

WHEREAS, the Governor has determined that these problems should be addressed by the reorganization of the Kentucky Mining Board through the establishment of a new structure and membership, the establishment of an effective process for administrative hearings and the establishment of criteria to address the issue of sanctions against licensed personnel and premises in the mining industry:



PAUL E. PATTON
GOVERNOR

EXECUTIVE ORDER

2001-83

January 19, 2001

Secretary of State
Frankfort
Kentucky

NOW, THEREFORE, I, PAUL E. PATTON, Governor of the Commonwealth of Kentucky, by virtue of the authority vested in me by KRS 12.028 and Section 81 of the Kentucky Constitution, do hereby Order and Direct the following:

- I. The Mining Board ("Board") as constituted pursuant to KRS 351.105, is hereby abolished, and reorganized and established anew as an agency, instrumentality, and political subdivision of the Commonwealth and a public body corporate and politic having all powers, duties, and responsibilities as are provided to it by law. The new Board shall exist and be attached to the Public Protection and Regulation Cabinet for administrative purposes only.
- II. The Board shall consist of nine (9) members appointed by the Governor as follows:
 - a. Three (3) citizen at-large members appointed by the Governor, one of whom the Governor shall appoint as Chairperson;
 - b. Three (3) members appointed by the Governor knowledgeable of coal mine safety from the perspective of management;
 - c. Three (3) members appointed by the Governor knowledgeable of coal mine safety from the perspective of the miner.
- III. If no later than Friday, February 9, 2001, the Alliance of Kentucky Coal submits to the Governor three (3) nominees for each management position on the Board and the United Mine Workers of America submits to the Governor three (3) nominees for each miner position on the board, then initial appointments shall be selected from the nominations made by these organizations. Thirty days prior to subsequent appointments to the Board the



PAUL E. PATTON
GOVERNOR

EXECUTIVE ORDER

2001-83

January 19, 2001

Secretary of State

Frankfort
Kentucky

Governor shall request from these organizations three nominations for each position to which the Governor intends to make an appointment as a miner or management representative. If nominations are not made within the thirty (30) day period following notification, the Governor may appoint any qualified person.

IV. A quorum of the Board shall consist of six (6) members and any action concerning revocation, suspension or probation of a mine's license or miner's certification shall require a two-thirds (2/3) vote of the voting members present. Board members shall be initially appointed to staggered terms and thereafter to four (4) year terms. The Chairperson shall serve at the pleasure of the Governor.

V. Each member of the Board shall receive one hundred fifty dollars (\$150) each day while actually engaged in the performance of the work of the board, shall receive mileage at the rate provided by the state's travel regulation for each mile actually traveled from the home of the member to the place of the meeting and returning therefrom, and shall receive reimbursement for food and lodging at a reasonable and customary rate, which shall be paid out of the State Treasury upon proper requisition approved by the Executive Director of the Board. Board members may be removed by the Governor for non-attendance or other just cause.

VI. The Board shall perform all duties assigned to it under the Kentucky Revised Statutes. The Governor shall, as soon as practical after the effective date of this executive order, appoint an Executive Director who shall administer the affairs of the Board and serve



PAUL E. PATTON
GOVERNOR

EXECUTIVE ORDER

2001-83

January 19, 2001

Secretary of State
Frankfort
Kentucky

as a full-time administrator. After the initial appointment, when it is necessary to fill the position of Executive Director, the Board shall conduct a comprehensive search for candidates and recommend three (3) candidates to the Governor for his consideration. The Board may employ a search firm if it is deemed necessary. The Executive Director shall be knowledgeable of the coal mining industry and shall have administrative experience in addition to other qualifications to be established by the Board. In order to ensure a fundamental understanding of the coal industry, the Executive Director, hearing officers, board members and all staff of the Board and the Department of Mines and Minerals shall complete a forty (40) hour new miner-training course or, at a minimum, complete significant portions thereof if they have not already completed such training.

- VII. *The Executive Director shall: report directly to the Secretary of the Public Protection and Regulation Cabinet and be responsible for the day-to-day operations of the Board; set up appropriate organizational structures and personnel policies for approval by the Board; appoint staff; coordinate the referral of allegations involving mine safety laws to hearing officers and/or the Board for adjudication; prepare annual reports on the Board's program of work and adjudicatory processes; carry out policy and program directives of the Board; prepare and submit to the Board for its approval the proposed biennial budget of the Board; and perform all other duties and responsibilities assigned by state law.*



PAUL E. PATTON
GOVERNOR

EXECUTIVE ORDER

2001-83

January 19, 2001

Secretary of State
Frankfort
Kentucky

VIII. The Board is vested with full power and authority to investigate and hear proof on all matters related to the administration of sanctions pursuant to KRS 351.105 utilizing procedures authorized by the provisions of KRS Chapter 13B. The Board shall be responsible for the promulgation of administrative regulations that establish comprehensive criteria for violations which shall be subject to the imposition of sanctions as authorized under KRS Chapter 351.105. All serious intentional violations of the mining and safety laws of the Commonwealth, such as working under unsupported roof, smoking inside the mines, repeat offenders of mine safety laws or violations resulting in mine fatalities, and/or other circumstances determined by administrative regulation promulgated by the Board, shall be subject to an administrative hearing and, where justified, the imposition of a reasonable penalty.

IX. The Board shall act expeditiously to promulgate administrative regulations and policies setting forth conduct that constitutes a violation of the mine safety laws of the Commonwealth so severe as to warrant sanctions against individuals or premises and providing guidance as to the severity of the sanctions imposed for various violations.

X. The Board shall also establish regulations and policies to ensure that an employer may not reimburse directly or indirectly a sanctioned miner or supervisor for days of work lost as a result of sanctions imposed by the Board.



PAUL E. PATTON
GOVERNOR

EXECUTIVE ORDER

2001-83

January 19, 2001

Secretary of State
Frankfort
Kentucky

XI. To assist the Board in carrying out its duties and functions, the Governor shall appoint the necessary number of administrative hearing officers, each of whom shall be an attorney admitted to practice law in Kentucky and shall have practiced law for at least three (3) years. These officers shall conduct administrative hearings, pursuant to KRS 13B, upon matters properly presented to them by the Executive Director or the Board. Officers appointed under this section may be employed by contract on a part-time basis and shall act independently of the Board and the Executive Director. Decisions of hearing officers may be appealed to the Board and final administrative orders of the Board may be appealed to Franklin Circuit Court in accordance with KRS 13B.

XII. The Board shall also establish procedures for monitoring by the Executive Director of criminal mine safety allegations brought by the Federal Mine Safety and Health Administration (MSHA) against Kentucky coal operators and miners as well as for referral to hearing officers of such allegations for consideration.

XIII. The Board shall establish a procedure whereby monthly reports describing the circumstances of mine related fatalities and licensure actions will be delivered to every certified working miner and coal operator and posted at the work site and reviewed at regular safety meetings.

XIV. The Department of Mines and Minerals and the position of Commissioner and Deputy Commissioner shall continue in existence exercising their respective authorities pursuant to KRS Chapters 351 and 352, shall be responsible for ensuring safety in



PAUL E. PATTON
GOVERNOR

EXECUTIVE ORDER

2001-83

January 19, 2001

Secretary of State
Frankfort
Kentucky

the mines and shall report directly to the Secretary of the Public Protection and Regulation Cabinet.

- XV. *The Finance and Administration Cabinet, the Governor's Office for Policy and Management, and the Personnel Cabinet shall take all necessary action to effectuate the provisions of this Order.*

A handwritten signature in cursive script, reading "Paul E. Patton", written over a horizontal line.

PAUL E. PATTON
Governor.

A handwritten signature in cursive script, reading "John Y. Brown III", written over a horizontal line.

JOHN Y. BROWN III
Secretary of State

EXHIBIT D



BRERETON C. JONES
GOVERNOR

EXECUTIVE ORDER

92 - 1060

October 6, 1992

Secretary of State
Frankfort
Kentucky

RELATING TO EXPANSION OF THE STATE BOARD OF AGRICULTURE

WHEREAS, KRS 246.120 provides that the State Board of Agriculture is composed of nine (9) members, of whom seven (7) are appointed by the Governor; and

WHEREAS, the membership of the State Board of Agriculture should encompass the many groups composing Kentucky's agricultural community; and

WHEREAS, the expansion of the State Board of Agriculture would allow additional agricultural input at a time when Kentucky's agriculture is at a transition period; and

WHEREAS, it has been determined that the best interest of Kentucky agriculture would be served by expansion of the membership of the State Board of Agriculture;

NOW, THEREFORE, I, Brereton C. Jones, Governor of the Commonwealth of Kentucky, pursuant to the authority vested in me by KRS 12.028 do hereby direct that the appointive membership of the State Board of Agriculture is hereby expanded from seven (7) to twelve (12) members. The total membership of the Board, including the new state at large membership appointed by the Governor to four (4) year terms, the Presidents of Future Farmers of America, Young Farmers of America and 4-H Club who shall serve in an ex officio non-voting capacity, and ex officio members as provided in KRS 246.120, will be fourteen (14).



BRERETON C. JONES
GOVERNOR

EXECUTIVE ORDER

92 - 1060

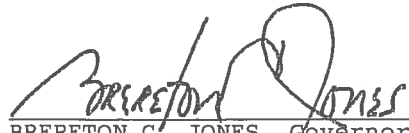
October 6, 1992

Secretary of State
Frankfort
Kentucky

Page 2

The nine (9) members appointed from the state at large shall be experienced and practical farmers or agriculturists and shall include one (1) member from the Kentucky Veterinary Medical Association and one (1) member from the Kentucky Vocational Education Teachers Association. A quorum of the newly enlarged State Board of Agriculture shall consist of six (6) members, including ex officio officers subject to the provisions of KRS 246.130.

The Secretary of Finance and Administration Cabinet and the Commissioner of Personnel shall take all necessary steps to implement this Order.


BRERETON C. JONES, Governor
Commonwealth of Kentucky

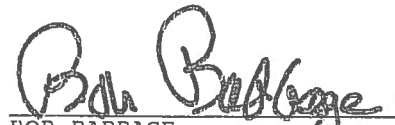

BOB BABBAGE
Secretary of State

EXHIBIT E



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

RECEIVED AND FILED
DATE July 9, 2004
3:02pm
TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Adler

RELATING TO REORGANIZATION OF THE
JUSTICE AND PUBLIC SAFETY CABINET

WHEREAS, the Commonwealth of Kentucky should always promote effective and efficient management of state government operations; and

WHEREAS, improved efficiency and economy will result from the establishment of an organizational entity that uses effective management practices; and

WHEREAS, it is deemed advisable at this time to, as an initial implementation phase of moving toward a more efficient, economical and integrated system for the delivery of services, establish and clarify the organizational structure of and within the Justice and Public Safety Cabinet in order to improve the efficiency and economy that properly titled organizational entities may provide within the Cabinet and at the Cabinet level;

NOW, THEREFORE, I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, pursuant to the authority vested in me by the Constitution and KRS 12.028, do hereby order and direct the following organizational structure:

- I. The Justice and Public Safety Cabinet is hereby created and established as a major organizational unit within the Executive Branch, to be headed by a Secretary appointed by the Governor pursuant to KRS 12.255. Except as otherwise provided, the Secretary shall have exclusive control and direction over all duties, functions, and responsibilities previously exercised by the Secretary of the Justice Cabinet. All authority, functions and responsibilities previously vested in the Secretary of the Justice Cabinet are hereby transferred to the Secretary of the Justice and Public Safety Cabinet who shall use that authority, function and responsibility to carry out the functions of the Cabinet. The Secretary shall be responsible for making recommendations for the establishment of various departments and divisions, and establishing other organizational units within the Cabinet by administrative order, so as to maximize efficiency of operation to carry out the missions and programs of the Cabinet. The Justice Cabinet is hereby abolished. All duties, functions, responsibilities, records, equipment, staff and support budgets of the Justice Cabinet are hereby transferred to the Justice and Public Safety Cabinet.
 - a. The Office of the Secretary is created under the Justice and Public Safety Cabinet, to be headed by a Deputy Secretary appointed pursuant to KRS 12.050, and shall be responsible for the direct administrative support for the Secretary and other duties as assigned by the Secretary. The Office of the Secretary and the Office of the Deputy Secretaries within the Justice Cabinet are hereby abolished. All personnel, funds, records, files and equipment heretofore assigned to the Office of the Secretary and Office of the Deputy Secretaries, Justice Cabinet are hereby transferred and assigned to the Office of the Secretary.



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

- b. The Office of Legislative and Intergovernmental Services is hereby created and established as a major organizational unit within the Cabinet, to be headed by an Executive Director appointed pursuant to KRS 12.050. The Executive Director is responsible for all matters relating to the provision of administrative support to the Criminal Justice Council, legislative liaison services, the functions and duties vested in the Criminal Justice Council, and for state and federal grants management including, but not limited to, the administration of KRS 15A.060. The Executive Director is directly responsible to and reports to the Secretary and with the approval of the Secretary may employ such staff as necessary to perform the duties, functions and responsibilities of the Office. The Office of the Legislative and Intergovernmental Services within the Justice Cabinet is hereby abolished. All personnel, funds, records, files and equipment heretofore assigned to the Office of the Legislative and Intergovernmental Services are hereby transferred to the Office of Legislative and Intergovernmental Services and shall be assigned to organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet and set forth by Administrative Order.
- c. The Office of Management and Administrative Services is created under the Justice and Public Safety Cabinet, to be headed by an Executive Director appointed pursuant to KRS 12.050, and shall be responsible for all matters relating to human resources, fiscal functions, management and daily operations of Cabinet information processing activities, and administrative services for the Cabinet. The Office of Management and Administrative Services within the Justice Cabinet is hereby abolished. All personnel, funds, records, files and equipment heretofore assigned to the Office of Management and Administrative Services within the Justice Cabinet are hereby transferred and assigned to the Office of Management and Administrative Services. The Executive Director is directly responsible to and reports to the Secretary and with the approval of the Secretary may employ such staff as necessary to perform the duties, functions and responsibilities of the Office.
- i. The Communications Division is hereby created and established within the Office of Management and Administrative Services within the Justice and Public Safety Cabinet, to be headed by a director appointed pursuant to KRS 12.050, who reports to the Executive Director of the Office of Management and Administrative Services, and is responsible for all matters relating to public relations and information within the Cabinet. The Communications Division within the Office of Management and Administrative Services within the Justice Cabinet is hereby abolished. All personnel, funds, records, files and equipment heretofore assigned to the Communications Division within the Office of Management and Administrative Services are hereby transferred and



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

assigned to the Communications Division within the Office of Management and Administrative Services.

- d. The Office of Legal Services is hereby created and established as a major organizational unit within the Justice and Public Safety Cabinet, to be headed by an Executive Director appointed pursuant to KRS 12.050 and KRS 12.210 to perform the duties, functions and responsibilities of the Office. This Office shall be responsible for all matters relating to the provision of legal representation and services for the Cabinet. The Executive Director is directly responsible to and reports to the Secretary and with the approval of the Secretary may employ such attorneys appointed pursuant to KRS 12.210 and other staff as necessary to perform the duties, functions and responsibilities of the Office. The Office of the General Counsel and the Office of Legal Services within the Justice Cabinet are hereby abolished. All personnel, funds, records, files, and equipment heretofore assigned to the Office of Legal Services, the Office of the General Counsel, and the General Counsels of the former subordinate Departments within the Justice Cabinet are hereby transferred to the Office of Legal Services under the Justice and Public Safety Cabinet. The Executive Director is directly responsible to and reports to the Secretary and with the approval of the Secretary may employ such staff as necessary to perform the duties, functions and responsibilities of the Office.
- e. The Office of the State Medical Examiner is hereby created and established as a major organizational unit within the Justice and Public Safety Cabinet, to be headed by a Chief Medical Examiner appointed pursuant to KRS 72.240. The Chief Medical Examiner is responsible for all matters relating forensic pathology and forensic toxicology and other duties as assigned by the Secretary. The Office of Forensic Toxicology and the Division of the Kentucky State Medical Examiner under the Justice Cabinet are hereby abolished. All personnel, funds, records, files and equipment heretofore assigned to the Division of Kentucky State Medical Examiner and the Office of Forensic Toxicology are hereby transferred and assigned to the Office of the State Medical Examiner. The Chief Medical Examiner is directly responsible to and reports to the Secretary and with the approval of the Secretary may employ such staff as necessary to perform the duties, functions and responsibilities of the Office.
- f. The Office of Drug Control Policy is hereby created and established as a major organizational unit within the Justice and Public Safety Cabinet, to be headed by an Executive Director appointed pursuant to KRS 12.050. The Executive Director is responsible for all matters relating to research of, and the coordination and execution of Drug Control Policy for the Cabinet, and for state and federal grants management including, but not limited to, the prevention, enforcement



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

and treatment related to substance abuse. All personnel, funds, records, files and equipment heretofore assigned to the Kentucky Agency for Substance Abuse Policy is hereby transferred and assigned to the Office of Drug Control Policy. The Executive Director is directly responsible to and reports to the Secretary, and with the approval of the Secretary may employ such staff as necessary to perform the duties, functions and responsibilities of the Office.

- g. The Office of Public Safety Training is hereby created and established as a major organizational unit within the Justice and Public Safety Cabinet, to be headed by an Executive Director appointed pursuant to KRS 12.050. The Department of Criminal Justice Training shall provide all administrative and logistical support for this Office. The Executive Director is responsible for all matters relating to the construction and operation of joint usage training facilities at the Public Safety Training Center; and management, scheduling, maintenance, and daily operations of the Public Safety Training Center for the Cabinet. The Executive Director is directly responsible to and reports to the Secretary and with the approval of the Secretary may employ such staff as necessary to perform the duties, functions and responsibilities of the Office.
 - h. The Office of Investigations is hereby created and established as a major organizational unit within the Justice and Public Safety Cabinet, to be headed by an Executive Director appointed pursuant to KRS 12.050. The Executive Director is responsible for all matters relating to the investigation of white-collar crime, waste, fraud and abuse in within the Cabinet and across the entire Executive Branch. The Executive Director is directly responsible to and reports to the Secretary and with the approval of the Secretary may employ such staff as necessary to perform the duties, functions and responsibilities of the Office. The Internal Investigations Branch within the Justice Cabinet is hereby abolished. All personnel, funds, records, files and equipment heretofore assigned to the Internal Investigations Branch are hereby transferred to the Office of Investigations.
 - i. The Parole Board is hereby created and established under the Justice and Public Safety Cabinet, to be headed by an Executive Director who shall report to the Deputy Secretary. This organizational entity will provide administrative support for the activities of the Parole Board. The former Parole Board under the former Justice Cabinet is hereby abolished. All personnel, funds, records, files and equipment heretofore assigned to the former Parole Board under the former Justice Cabinet, are hereby assigned to the Parole Board.
- II. The Department of State Police is hereby abolished. The Department of Kentucky State Police is hereby created and established as a major organizational unit within the Justice and Public Safety Cabinet, to be headed by a Commissioner appointed pursuant to KRS 12.040, KRS 16.030, and KRS 12.210



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

to perform the duties, functions and responsibilities of the Department. This Department shall assume all of the duties and responsibilities of the former Department of State Police under the former Justice Cabinet. All personnel, funds, records, files and equipment heretofore assigned to the former Department of State Police are hereby transferred to the Department of Kentucky State Police and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The Commissioner is directly responsible to and reports to the Secretary and with the approval of the Secretary may employ such staff appointed pursuant to KRS 12.050, KRS 12.210, KRS 16.040 and KRS 16.050, and other staff as necessary to perform the duties, functions and responsibilities of the Department.

- a. The Administrative Division is hereby created and established as a major organizational unit within the Department of Kentucky State Police, to be headed by a Director or sworn officer appointed pursuant to KRS 12.050 or KRS 16.040 and KRS 16.050, to perform the duties, functions and responsibilities of the Division. The head of this Division is directly responsible to and reports to the Commissioner. The Division of Executive Services under the former Department of State Police is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Executive Services under the former Department of State Police. All personnel, funds, records, files, and equipment heretofore assigned to the Division of Executive Services are hereby transferred to the Administrative Division of the Department of Kentucky State Police, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order.
- b. The Operations Division is hereby created and established as a major organizational unit within the Department of Kentucky State Police, to be headed by a Director or sworn officer appointed pursuant to KRS 12.050 or KRS 16.040 and KRS 16.050, to perform the duties, functions and responsibilities of the Division. The head of this Division is directly responsible to and reports to the Commissioner. The Division of Police Services under the former Department of State Police is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Police Services under the former Department of State Police. All personnel, funds, records, files, and equipment heretofore assigned to the Division of Police Services are hereby transferred to the Operations Division of the Department of Kentucky State Police and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order.
- c. The Forensic Services Division is hereby created and established as a major organizational unit within the Department of Kentucky State



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

Police, to be headed by a Director or sworn officer appointed pursuant to KRS 12.050 or KRS 16.040 and KRS 16.050, to perform the duties, functions and responsibilities of the Division. The head of this Division is directly responsible to and reports to the Commissioner. The Division of Forensic Services under the former Department of State Police is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Forensic Services under the former Department of State Police. All personnel, funds, records, files, and equipment heretofore assigned to the Division of Forensic Services are hereby transferred to the Forensic Services Division of the Department of Kentucky State Police and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order.

- d. The Technical Services Division is hereby created and established as a major organizational unit within the Department of Kentucky State Police, to be headed by a Director or sworn officer appointed pursuant to KRS 12.050 or KRS 16.040 and KRS 16.050, to perform the duties, functions and responsibilities of the Division. The head of this Division is directly responsible to and reports to the Commissioner. The Division of Technical Services under the former Department of State Police is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Technical Services under the former Department of State Police. All personnel, funds, records, files, and equipment heretofore assigned to the Division of Technical Services are hereby transferred to the Technical Services Division of the Department of Kentucky State Police and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order.
- III. The Department of Kentucky Vehicle Enforcement is hereby created and established as a major organizational unit within the Justice and Public Safety Cabinet, to be headed by a Commissioner appointed pursuant to KRS 12.040 and KRS 12.210 to perform the duties, functions and responsibilities of the Department. This Department shall assume all of the duties and responsibilities of the former Division of Vehicle Enforcement under the Transportation Cabinet. The Commissioner is directly responsible to and reports to the Secretary and with the approval of the Secretary may employ such staff appointed pursuant to KRS 12.050, KRS 12.210 and other staff as necessary to perform the duties, functions and responsibilities of the Department. All personnel, funds, records, files and equipment heretofore assigned to the Division of Vehicle Enforcement under the Transportation Cabinet are hereby transferred to the Department of Kentucky Vehicle Enforcement and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet and set forth by Administrative Order.



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

- a. The Division of Field Operations is hereby created and established under the Department of Kentucky Vehicle Enforcement, to be headed by a Director or sworn Kentucky Vehicle Enforcement officer, who shall report to the Commissioner of the Department of Kentucky Vehicle Enforcement. The Director will be responsible for executing the general missions of the Department as prescribed by the Commissioner in accordance with statute, regulation, and policy, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order.
 - b. The Division of Special Operations is hereby created and established under the Department of Kentucky Vehicle Enforcement, to be headed by a Director or sworn Kentucky Vehicle Enforcement officer, who shall report to the Commissioner of the Department of Kentucky Vehicle Enforcement. The Director will be responsible for executing special operational missions as prescribed by the Commissioner in accordance with statute, regulation, and policy, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order.
 - c. The Division of Administrative Services is hereby created and established under the Department of Kentucky Vehicle Enforcement, to be headed by a Director or a sworn Kentucky Vehicle Enforcement officer, who shall report to the Commissioner of the Department of Kentucky Vehicle Enforcement. The Director will be responsible for the administrative support of the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order.
- IV. The current Department of Criminal Justice Training is hereby abolished. A new Department of Criminal Justice Training is hereby created and established as a major organizational unit within the Justice and Public Safety Cabinet, to be headed by a Commissioner appointed pursuant to KRS 12.040, to perform the duties, functions and responsibilities of the Department. This Department shall assume all of the duties and responsibilities of the former Department of Criminal Justice Training under the former Justice Cabinet. All personnel, funds, records, files and equipment heretofore assigned to the former Department of Criminal Justice Training within the Justice Cabinet are hereby transferred to the Department of Criminal Justice Training and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet and set forth by Administrative Order. The Commissioner is directly responsible to and reports to the Secretary, and with approval of the Secretary may employ such staff appointed pursuant to KRS 12.050, KRS 12.210, and other staff as necessary to perform the duties, functions and responsibilities of the Department.



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

- a. The Training Operations Division is hereby created and established under the Department of Criminal Justice Training, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Commissioner of the Department of Criminal Justice Training. The Director will be responsible for the direct delivery of training to the client agencies and officers of the Department. The former Training Operations Division under the former Department of Criminal Justice Training, under the former Justice Cabinet, is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Training Operations Division under the former Department of Criminal Justice Training. All personnel, funds, records, files, and equipment heretofore assigned to the former Training Operations Division under the former Department of Criminal Justice Training, under the former Justice Cabinet, are hereby transferred to the Training Operations Division of the Department of Criminal Justice Training, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order.
- b. The Administrative Division is hereby created and established under the Department of Criminal Justice Training, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Commissioner of the Department of Criminal Justice Training. The Director will be responsible for the personnel, financial, grants management, and compliance assistance activities of the Department. The former Administrative Division under the former Department of Criminal Justice Training under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Administrative Division under the former Department of Criminal Justice Training, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Administrative Division under the former Department of Criminal Justice Training, under the former Justice Cabinet are hereby transferred to the Administrative Division of the Department of Criminal Justice Training and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Cabinet as set forth by Administrative Order.
- c. The Training Support Division is hereby created and established under the Department of Criminal Justice Training, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Commissioner of the Department of Criminal Justice Training. The Director will be responsible for the provision of physical assets in support of all Department missions, activities, and functions. The former Training Support Division under the former Department of Criminal Justice Training, under the former Justice Cabinet is hereby



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

abolished. This Division shall assume all of the duties and responsibilities of the former Training Support Division under the former Department of Criminal Justice Training, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Training Support Division of the former Department of Criminal Justice Training, under the former Justice Cabinet, are hereby transferred to the Training Support Division of the Department of Criminal Justice Training, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order.

- V. The current Department of Juvenile Justice is abolished. A new Department of Juvenile Justice is hereby created and established as a major organizational unit within the Justice and Public Safety Cabinet, to be headed by a Commissioner appointed pursuant to KRS 12.040, to perform the duties, functions and responsibilities of the Department. This Department shall assume all of the duties and responsibilities of the former Department of Juvenile Justice under the former Justice Cabinet. All personnel, funds, records, files and equipment heretofore assigned to the former Department of Juvenile Justice within the Justice Cabinet are hereby transferred to the Department of Juvenile Justice and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet and set forth by Administrative Order. The Commissioner is directly responsible to and reports to the Secretary and with the approval of the Secretary may employ such staff appointed pursuant to KRS 12.050, KRS 12.210, and other staff as necessary to perform the duties, functions and responsibilities of the Department. The former Office of General Counsel under the former Department of Juvenile Justice, and the former Department of Juvenile Justice—both under the former Justice Cabinet, are hereby abolished.
- a. The Division of Medical Services is hereby created and established under the Department of Juvenile Justice, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Commissioner of the Department of Juvenile Justice. The Director will be responsible for the delivery of medical services for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Division of Medical Services under the former Department of Juvenile Justice under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Medical Services under the former Department of Juvenile Justice, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Medical Services under the former Department of Juvenile Justice, under the former Justice Cabinet are hereby transferred to the Division of Medical Services of the Department of Juvenile Justice.



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

- b. The Division of Western Region is hereby created and established under the Department of Juvenile Justice, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Commissioner of the Department of Juvenile Justice. The Director will be responsible for the delivery of services in the Western Region of the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Division of Western Region under the former Department of Juvenile Justice under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Western Region under the former Department of Juvenile Justice, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Western Region under the former Department of Juvenile Justice, under the former Justice Cabinet are hereby transferred to the Division of Western Region of the Department of Juvenile Justice.
- c. The Division of Central Region is hereby created and established under the Department of Juvenile Justice, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Commissioner of the Department of Juvenile Justice. The Director will be responsible for the delivery of services in the Central Region of the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Division of Central Region under the former Department of Juvenile Justice under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Central Region under the former Department of Juvenile Justice, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Central Region under the former Department of Juvenile Justice, under the former Justice Cabinet are hereby transferred to the Division of Central Region of the Department of Juvenile Justice.
- d. The Division of Eastern Region is hereby created and established under the Department of Juvenile Justice, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Commissioner of the Department of Juvenile Justice. The Director will be responsible for the delivery of services in the Eastern Region of the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Division of Eastern Region under the former Department of Juvenile Justice under the former Justice Cabinet is hereby abolished. This Division shall



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

assume all of the duties and responsibilities of the former Division of Eastern Region under the former Department of Juvenile Justice, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Eastern Region under the former Department of Juvenile Justice, under the former Justice Cabinet are hereby transferred to the Division of Eastern Region of the Department of Juvenile Justice.

- e. The Division of Administrative Services is hereby created and established under the Department of Juvenile Justice, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Commissioner of the Department of Juvenile Justice. The Director will be responsible for personnel, financial, information systems management, construction and real property management activities of the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Division of Administrative Services under the former Department of Juvenile Justice under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Administrative Services under the former Department of Juvenile Justice, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Administrative Services under the former Department of Juvenile Justice, under the former Justice Cabinet are hereby transferred to the Division of Administrative Services of the Department of Juvenile Justice.
- f. The Division of Program Services is hereby created and established under the Department of Juvenile Justice, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Commissioner of the Department of Juvenile Justice. The Director will be responsible for the delivery of quality assurance and training services for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Division of Program Services under the former Department of Juvenile Justice under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Program Services under the former Department of Juvenile Justice, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Program Services under the former Department of Juvenile Justice, under the former Justice Cabinet are hereby transferred to the Division of Program Services of the Department of Juvenile Justice.



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

- g. The Division of Placement Services is hereby created and established under the Department of Juvenile Justice, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Commissioner of the Department of Juvenile Justice. The Director will be responsible for the delivery of juvenile placement services for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Division of Placement Services under the former Department of Juvenile Justice under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Placement Services under the former Department of Juvenile Justice, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Placement Services under the former Department of Juvenile Justice, under the former Justice Cabinet are hereby transferred to the Division of Placement Services of the Department of Juvenile Justice.
- VI. The current Department of Corrections is hereby abolished. The Department of Corrections is hereby created and established as a major organizational unit within the Justice and Public Safety Cabinet, to be headed by a Commissioner appointed pursuant to KRS 12.040, to perform the duties, functions and responsibilities of the Department. This Department shall assume all of the duties and responsibilities of the former Department of Corrections under the former Justice Cabinet. All personnel, funds, records, files and equipment heretofore assigned to the former Department of Corrections under the Justice Cabinet are hereby transferred to the Department of Corrections under the Justice and Public Safety Cabinet, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet and set forth by Administrative Order. The Commissioner is directly responsible to and reports to the Secretary and with the approval of the Secretary may employ such staff appointed pursuant to KRS 12.050, KRS 12.210, and other staff as necessary to perform the duties, functions and responsibilities of the Department. The former Office of General Counsel under the former Department of Corrections is hereby abolished.
- a. The Personnel Division is hereby created and established under the Office of the Commissioner under the Department of Corrections, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Commissioner of the Department of Corrections. The Director will be responsible for personnel actions for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Division of Personnel Services under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2004-730

July 9, 2004

Secretary of State
Frankfort
Kentucky

duties and responsibilities of the former Division of Personnel under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Personnel Services under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Personnel Division of the Department of Corrections.

- b. The Office of Adult Institutions is hereby created and established under the Department of Corrections, to be headed by a Deputy Commissioner appointed pursuant to KRS 12.050, who shall report to the Commissioner of the Department of Corrections. The Director will be responsible for the delivery of services in the Adult Institutions of the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Executive and Administrative Orders.
 - i. The Operations and Program Services Division is hereby created and established under the Office of the Adult Institutions under the Department of Corrections, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The Director will be responsible for the operations and program services for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Division of Institutional Operations under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Institutional Operations under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Institutional Operations under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Operations and Program Services Division of the Department of Corrections.
 - ii. The Division of Medical Services is hereby created and established under the Office of the Adult Institutions under the Department of Corrections, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The Director will be responsible for the medical services for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

former Division of Medical Services under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Medical Services under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Medical Services under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Division of Medical Services of the Department of Corrections.

- iii. The Mental Health Services Division is hereby created and established under the Office of the Adult Institutions under the Department of Corrections, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The Director will be responsible for the mental health services for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Division of Mental Health Programs under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Mental Health Programs under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Mental Health Programs under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Mental Health Services Division of the Department of Corrections.
- iv. The Kentucky State Reformatory Division is hereby created and established under the Office of the Adult Institutions under the Department of Corrections, to be headed by a Warden appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The Warden will be responsible for on-site corrections activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Kentucky State Reformatory Division under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Kentucky State Reformatory Division under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files,



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2004-730

July 9, 2004

Secretary of State
Frankfort
Kentucky

and equipment heretofore assigned to the former Kentucky State Reformatory Division under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Kentucky State Reformatory Division of the Department of Corrections.

- v. The Luther Luckett Correctional Complex Division is hereby created and established under the Office of the Adult Institutions under the Department of Corrections, to be headed by a Warden appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The Warden will be responsible for on-site corrections activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Luther Luckett Correctional Complex Division under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Luther Luckett Correctional Complex Division under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Luther Luckett Correctional Complex Division under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Luther Luckett Correctional Complex Division of the Department of Corrections.
- vi. The Roederer Correctional Complex Division is hereby created and established under the Office of the Adult Institutions under the Department of Corrections, to be headed by a Warden appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The Warden will be responsible for on-site corrections activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Roederer Correctional Complex Division under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Roederer Correctional Complex Division under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Roederer Correctional Complex Division under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

Roederer Correctional Complex Division of the Department of Corrections.

- vii. The Blackburn Correctional Complex Division is hereby created and established under the Office of the Adult Institutions under the Department of Corrections, to be headed by a Warden appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The Warden will be responsible for on-site corrections activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Blackburn Correctional Complex Division under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Blackburn Correctional Complex Division under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Blackburn Correctional Complex Division under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Blackburn Correctional Complex Division of the Department of Corrections.
- viii. The Kentucky Correctional Institution for Women Division is hereby created and established under the Office of the Adult Institutions under the Department of Corrections, to be headed by a Warden appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The Warden will be responsible for on-site corrections activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Kentucky Correctional Institution for Women Division under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Kentucky Correctional Institution for Women Division under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Kentucky Correctional Institution for Women Division under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Kentucky Correctional Institution for Women Division of the Department of Corrections.



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

- ix. The Frankfort Career Development Center Division is hereby created and established under the Office of the Adult Institutions under the Department of Corrections, to be headed by a Warden appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The Warden will be responsible for on-site corrections activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Frankfort Career Development Center Division under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Frankfort Career Development Center Division under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Frankfort Career Development Center Division under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Frankfort Career Development Center Division of the Department of Corrections.
- x. The Northpoint Training Center Division is hereby created and established under the Office of the Adult Institutions under the Department of Corrections, to be headed by a Warden appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The Warden will be responsible for on-site corrections activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Northpoint Training Center Division under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Northpoint Training Center Division under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Northpoint Training Center Division under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Northpoint Training Center Division of the Department of Corrections.
- xi. The Eastern Kentucky Correctional Complex Division is hereby created and established under the Office of the Adult



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2004-730

July 9, 2004

Secretary of State
Frankfort
Kentucky

Institutions under the Department of Corrections, to be headed by a Warden appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The Warden will be responsible for on-site corrections activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Eastern Kentucky Correctional Complex Division under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Eastern Kentucky Correctional Complex Division under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Eastern Kentucky Correctional Complex Division under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Eastern Kentucky Correctional Complex Division of the Department of Corrections.

- xii. The Bell County Forestry Camp Division is hereby created and established under the Office of the Adult Institutions under the Department of Corrections, to be headed by a Warden appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The Warden will be responsible for on-site corrections activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Bell County Forestry Camp Division under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Bell County Forestry Camp Division under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Bell County Forestry Camp Division under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Bell County Forestry Camp Division of the Department of Corrections.
- xiii. The Kentucky State Penitentiary Division is hereby created and established under the Office of the Adult Institutions under the Department of Corrections, to be headed by a Warden appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

Warden will be responsible for on-site corrections activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Kentucky State Penitentiary Division under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Kentucky State Penitentiary Division under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Kentucky State Penitentiary Division under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Kentucky State Penitentiary Division of the Department of Corrections.

- xiv. The Western Kentucky Correctional Complex Division is hereby created and established under the Office of the Adult Institutions under the Department of Corrections, to be headed by a Warden appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The Warden will be responsible for on-site corrections activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Western Kentucky Correctional Complex Division under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Western Kentucky Correctional Complex Division under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Western Kentucky Correctional Complex Division under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Western Kentucky Correctional Complex Division of the Department of Corrections.
- xv. The Green River Correctional Complex Division is hereby created and established under the Office of the Adult Institutions under the Department of Corrections, to be headed by a Warden appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The Warden will be responsible for on-site corrections activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Green River Correctional Complex Division under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Green River Correctional Complex Division under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Green River Correctional Complex Division under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Green River Correctional Complex Division of the Department of Corrections.

- xvi. The Little Sandy Correctional Complex Division is hereby created and established under the Office of the Adult Institutions under the Department of Corrections, to be headed by a Warden appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Adult Institutions. The Warden will be responsible for on-site corrections activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order.
- c. The Office of Community Services and Facilities is hereby created and established under the Department of Corrections, to be headed by a Deputy Commissioner appointed pursuant to KRS 12.050, who shall report to the Commissioner of the Department of Corrections. The Deputy Commissioner will be responsible for the delivery of probation and parole services, and administration of jail services for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Executive and Administrative Orders.
- i. The Division of Probation and Parole is hereby created and established under the Office of Community Services and Facilities under the Department of Corrections, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Community Services and Facilities. The Director will be responsible for the probation and parole activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Division of Probation and Parole under the former Department of Corrections under the former Justice Cabinet is hereby



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2004-730

July 9, 2004

Secretary of State
Frankfort
Kentucky

abolished. This Division shall assume all of the duties and responsibilities of the former Division of Probation and Parole under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Probation and Parole under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Division of Probation and Parole under the Office of Community Services and Facilities of the Department of Corrections.

- ii. The Division of Local Facilities is hereby created and established under the Office of Community Services and Facilities under the Department of Corrections, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Community Services and Facilities. The Director will be responsible for the local jail and facilities activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Division of Local Facilities under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Local Facilities under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Local Facilities under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Division of Local Facilities under the Office of Community Services of the Department of Corrections.
- d. The Office of Support Services is hereby created and established under the Department of Corrections, to be headed by a Deputy Commissioner appointed pursuant to KRS 12.050, who shall report to the Commissioner of the Department of Corrections. The Deputy Commissioner will be responsible for the delivery of support services for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Executive and Administrative Orders.
- i. The Division of Administrative Services is hereby created and established under the Office of Support Services under the Department of Corrections, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Support Services. The Director will be responsible for administrative support for the



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2004-730

July 9, 2004

Secretary of State
Frankfort
Kentucky

Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Division of Administrative Services under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Administrative Services under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Administrative Services under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Division of Administrative Services under the Office of Support Services of the Department of Corrections.

- ii. The Division of Corrections Training is hereby created and established under the Office of Support Services under the Department of Corrections, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Support Services. The Director will be responsible for training support for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Division of Corrections Training under the former Department of Corrections under the former Justice Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Corrections Training under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Corrections Training under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Division of Corrections Training under the Office of Support Services of the Department of Corrections.
- iii. The Division of Correctional Industries is hereby created and established under the Office of Support Services under the Department of Corrections, to be headed by a Director appointed pursuant to KRS 12.050, who shall report to the Deputy Commissioner of the Office of Support Services. The Director will be responsible for corrections industries activities for the Department, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order. The former Division of Correctional Industries under the former Department of Corrections under the former Justice



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2004-730

July 9, 2004

Secretary of State
Frankfort
Kentucky

Cabinet is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Correctional Industries under the former Department of Corrections, under the former Justice Cabinet. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Correctional Industries under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Division of Correctional Industries under the Office of Support Services of the Department of Corrections.

- e. The Eastern Region Division under the former Department of Corrections of the former Justice Cabinet is hereby abolished. All personnel, funds, records, files, and equipment heretofore assigned to the former Eastern Region Division under the former Department of Corrections, under the former Justice Cabinet are hereby transferred to the Office of Adult Institutions of the Department of Corrections.
 - f. The Western Region Division under the former Department of Corrections of the former Justice Cabinet is hereby abolished. All personnel, funds, records, files, and equipment heretofore assigned to the former Western Region Division under the former Department of Corrections of the former Justice Cabinet are hereby transferred to the Office of Adult Institutions of the Department of Corrections.
 - g. The Commission on Corrections and Community Service is created and established under the Department of Corrections, with administrative support provided by the Department. The former Commission on Corrections and Community Service is hereby abolished. All personnel, funds, records, files, and equipment heretofore assigned to the former Commission on Corrections and Community Service under the former Department of Corrections are hereby transferred to the Commission on Corrections and Community Service.
 - h. The Kentucky State Corrections Commission is created and established under the Department of Corrections, with administrative support provided by the Department. The former Kentucky State Corrections Commission is hereby abolished. All personnel, funds, records, files, and equipment heretofore assigned to the former Kentucky State Corrections Commission under the former Department of Corrections of the former Justice Cabinet are hereby transferred to the Kentucky State Corrections Commission under the Department of Corrections of the Cabinet for Justice and Public Safety.
- VII. The Department for Public Advocacy is hereby created and established as a major organizational unit within the Justice and Public Safety Cabinet, to be headed by a



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2004-730

July 9, 2004

Secretary of State
Frankfort
Kentucky

Public Advocate appointed pursuant to KRS 31.020, to perform the duties, functions and responsibilities of the Department. This Department shall assume all of the duties and responsibilities of the former Department for Public Advocacy under the former Environmental and Public Protection Cabinet. All personnel, funds, records, files and equipment heretofore assigned to the former Department for Public Advocacy within the Environmental and Public Protection Cabinet are hereby transferred to the Department for Public Advocacy.

- a. The Protection and Advocacy Division is hereby created and established under the Department for Public Advocacy, to be headed by a Director appointed pursuant to KRS 12.050 and, if necessary, KRS 12.210. The Director shall report to the Public Advocate of the Department for Public Advocacy. The Director will be responsible for administrative and legal services for the Department. The former Protection and Advocacy Division under the former Department for Public Advocacy, under the former Environmental and Public Protection Cabinet, is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Protection and Advocacy Division under the former Department for Public Advocacy. All personnel, funds, records, files, and equipment heretofore assigned to the former Protection and Advocacy Division under the former Department for Public Advocacy, under the former Environmental and Public Protection Cabinet, are hereby transferred to the Protection and Advocacy Division of the Department for Public Advocacy, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order.
- b. The Division of Law Operations is hereby created and established under the Department for Public Advocacy, to be headed by a Director appointed pursuant to KRS 12.050 and, if necessary, KRS 12.210. The Director shall report to the Public Advocate of the Department for Public Advocacy. The Director will be responsible for the human resource, information resource, and fiscal support of the Department. The former Division of Law Operations under the former Department for Public Advocacy, under the former Environmental and Public Protection Cabinet, is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Law Operations under the former Department for Public Advocacy. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Law Operations under the former Department for Public Advocacy, under the former Environmental and Public Protection Cabinet, are hereby transferred to the Division of Law Operations of the Department for Public Advocacy, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order.



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2004-730

July 9, 2004

Secretary of State
Frankfort
Kentucky

- c. The Division of Trial Services is hereby created and established under the Department for Public Advocacy, to be headed by a Director appointed pursuant to KRS 12.050 and, if necessary, KRS 12.210. The Director shall report to the Public Advocate of the Department for Public Advocacy. The Director will be responsible for the provision of public advocacy trial services for the Department's clients. The former Division of Trial Services under the former Department for Public Advocacy, under the former Environmental and Public Protection Cabinet, is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Trial Services under the former Department for Public Advocacy. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Trial Services under the former Department for Public Advocacy, under the former Environmental and Public Protection Cabinet, are hereby transferred to the Division of Trial Services of the Department for Public Advocacy, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order.
 - d. The Division of Post-Trial Services is hereby created and established under the Department for Public Advocacy, to be headed by a Director appointed pursuant to KRS 12.050 and, if necessary, KRS 12.210. The Director shall report to the Public Advocate of the Department for Public Advocacy. The Director will be responsible for the provision of post-trial services for the Department's clients. The former Division of Post-Trial Services under the former Department for Public Advocacy, under the former Environmental and Public Protection Cabinet, is hereby abolished. This Division shall assume all of the duties and responsibilities of the former Division of Post-Trial Services under the former Department for Public Advocacy. All personnel, funds, records, files, and equipment heretofore assigned to the former Division of Post-Trial Services under the former Department for Public Advocacy, under the former Environmental and Public Protection Cabinet, are hereby transferred to the Division of Post-Trial Services of the Department for Public Advocacy, and shall be assigned organizational entities as deemed appropriate by the Secretary of the Justice and Public Safety Cabinet as set forth by Administrative Order.
- VIII. This Order shall be effective upon signature. All necessary budgetary and financial transactions shall be aligned to correspond with the beginning of the fiscal year. The Commissioner of the Department of Personnel, the Secretary of the Finance and Administration Cabinet, the Governor's Office for Policy Management and the Secretary of the Justice and Public Safety Cabinet are directed to initiate all such actions as are necessary to effectuate the provisions of this order.



ERNIE FLETCHER
GOVERNOR

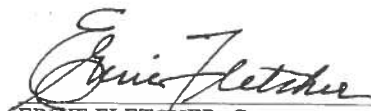
EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-730

July 9, 2004

Signed this 9th day of July, 2004.


ERNIE FLETCHER, Governor
Commonwealth of Kentucky


TREY GRAYSON
Secretary of State

EXHIBIT F



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-731

July 9, 2004

RECEIVED AND FILED
DATE July 9, 2004
7:03 pm
TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Adler

**RELATING TO REORGANIZATION OF THE NATURAL
RESOURCES AND ENVIRONMENTAL PROTECTION, LABOR
AND PUBLIC PROTECTION AND REGULATION CABINETS AND
THE CREATION OF THE ENVIRONMENTAL AND PUBLIC
PROTECTION CABINET**

WHEREAS, the Natural Resources and Environmental Protection, Labor and Public Protection and Regulation Cabinets perform valuable services for the Commonwealth of Kentucky; and

WHEREAS, the efficiency and economy of government and more effective performance of functions of these agencies for the citizens of the Commonwealth of Kentucky will be enhanced by establishing a reorganization plan for the agencies;

NOW THEREFORE, I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, under the authority vested in me by the Kentucky Constitution, Sections 69 and 81, and Kentucky Revised Statutes 12.028, do hereby **ORDER** and **DIRECT** the following:

- I. The Cabinet for Environmental and Public Protection is hereby created and established. A Secretary appointed by the Governor pursuant to KRS 12.255 shall head the Cabinet for Environmental and Public Protection. Except as otherwise provided, the Secretary shall have exclusive control and direction over all duties, functions, and responsibilities previously exercised by the Secretary of the Natural Resources and Environmental Protection Cabinet, the Secretary of the Labor Cabinet, and the Secretary of the Public Protection and Regulation Cabinet. All authority, functions and responsibilities previously vested in the Secretary of the Natural Resources and Environmental Protection Cabinet, the Secretary of the Labor Cabinet, and the Secretary of the Public Protection and Regulation Cabinet are hereby



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-731

July 9, 2004

transferred to the Secretary of the Cabinet for Environmental and Public Protection, who shall use the authority, functions and responsibilities to carry out the functions of the Cabinet for Environmental and Public Protection. The Secretary shall be responsible for making changes to the departments, divisions and organizational units within the newly created Cabinet so as to maximize the of operation in order to carry out the missions and programs of the Cabinet. The Natural Resources and Environmental Protection Cabinet, the Labor Cabinet, and the Public Protection and Regulation Cabinet are hereby abolished. All duties, functions, responsibilities, records, equipment, staff and support budgets of the Natural Resources and Environmental Protection Cabinet, the Labor Cabinet, and the Public Protection and Regulation Cabinet are hereby transferred to the Cabinet for Environmental and Public Protection, except as otherwise set forth herein.

- II. The Office of the Secretary is hereby established within the Cabinet for Environmental and Public Protection. The office will be headed by the Secretary of the Cabinet and shall have the following organizational units:
- a) The Office of Legislative and Intergovernmental Affairs, the Office of Communications and Public Outreach, and the Office of Regulatory Affairs are hereby established within the Office of the Secretary of the Cabinet for Environmental and Public Protection. These Offices will be headed by Executive Directors appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
 - b) The Office of Legal Services is hereby established within the Office of the Secretary of the Cabinet for Environmental and Public Protection. It shall be headed by an Executive Director appointed by the Secretary with the approval of



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-731

July 9, 2004

the Governor in accordance with KRS 12.050. It shall contain the following organizational units:

- i) There is created and established within the Office of Legal Services an Office of the Executive Director to be headed by the Executive Director.
- ii) The Environmental Protection Legal Division, the Natural Resources Legal Division, the Public Protection Legal Division, the Insurance Legal Division, the Charitable Gaming and Alcoholic Beverage Control Legal Division, the Housing, Buildings and Construction Legal Division, the Financial Institutions Legal Division, the Labor Legal Division and the Workers Claims Legal Division are hereby established in the Office of Legal Services. These Divisions will be headed by Directors appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
- c) The Office of Administrative and Information Services is hereby established within the Office of the Secretary of the Cabinet for Environmental and Public Protection. It will be headed by an Executive Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
- i) The Division of Fiscal Management, the Division of Budgets and Auditing, the Division of Information Services and the Division of Human Resource Management are hereby established within the Office of Administrative and Information Services. These Divisions will be headed by Directors appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
- d) The Office of Administrative Hearings is hereby established within the Office of the Secretary of the Cabinet for Environmental and Public Protection. It shall be



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-731

July 9, 2004

headed by an Executive Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.

- e) The Office of Inspector General is hereby established within the Office of the Secretary of the Cabinet for Environmental and Public Protection. It shall be headed by an Executive Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
 - f) The Mine Safety Review Commission is hereby established and attached to the Office of the Secretary of the Cabinet for Environmental and Public Protection. The members are appointed by the Governor with the consent of the General Assembly. A general counsel is appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
 - g) The Workers Compensation Board is hereby established and attached to the Office of the Secretary of the Cabinet for Environmental and Public Protection.
 - h) The Kentucky State Nature Preserves Commission is hereby established and shall be attached to the Office of the Secretary of the Cabinet for Environmental and Public Protection. It will be headed by a Director appointed by the Commission with the approval of the Governor in accordance with KRS 146.430.
 - i) The Kentucky Environmental Quality Commission is hereby established. It shall be headed by an Executive Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
- III. The Department for Environmental Protection is established within the Environmental and Public Protection Cabinet. It shall be headed by a Commissioner appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050. It shall contain the following organizational units:



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-731

July 9, 2004

- a) There is created and established within the Department for Environmental Protection an Office of the Commissioner
 - b) The Division of Air Quality, the Division of Water, the Division of Environmental Services, and the Division of Waste Management are hereby established within the Department for Environmental Protection. These Divisions will be headed by Directors appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
 - c) The Division of Enforcement and the Division of Compliance Assistance are hereby created and established within the Department for Environmental Protection. These Divisions will be headed by Directors appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
- IV. The Department for Natural Resources is established within the Environmental and Public Protection Cabinet. It shall be headed by a Commissioner appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050. It shall contain the following organizational units:
- a) There is created and established within the Department for Natural Resources an Office of the Commissioner, to be headed by the Commissioner of the Department
 - b) The Office of Technical and Administrative Support is hereby created and established within the Department for Natural Resources. This Office will be headed by an Executive Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
 - c) The Division of Mine Permits, the Division of Mine Reclamation and Enforcement, the Division of Abandoned Mine Lands, and the Division of Oil and



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GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-731

July 9, 2004

- Gas Conservation are hereby created and established within the Department for Natural Resources. These Divisions will be headed by Directors appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
- d) The Office of Mine Safety and Licensing, is hereby created and established within the Department for Natural Resources. This Office will be headed by an Executive Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
- i) The Division Explosives and Blasting, the Division of Safety Inspection and Licensing, the Division of Division of Safety Analysis Training and Certification, and the Division of Investigation are hereby created and established within the Department for Natural Resources. These Divisions will be headed by Directors appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
- ii) The Division of Oil and Gas Conservation is hereby created and established within the Department for Natural Resources. This Divisions will be headed by a Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
- (1) The Oil and Gas Commission is hereby established within the Department for Natural Resources. The Commission shall have four (4) members appointed according to law.
- e) The Division of Forestry, the Division of Conservation and the Division of Energy are hereby established within the Department for Natural Resources. These Divisions will be headed by Directors appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-731

July 9, 2004

- V. The Department of Public Protection is established within the Cabinet for Environmental and Public Protection. This Department will be headed by a Commissioner appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050. It shall contain the following organizational units:
- a) There is created and established within the Department of Public Protection an Office of the Commissioner, to be headed by the Commissioner of the Department.
 - b) The Division of Administrative Services is hereby created and established within the Department of Public Protection. It shall be headed by a Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
 - c) The Crime Victims Compensation Board and Board of Claims, the Board of Tax Appeals, and the Kentucky Athletic Commission are attached to the Department of Public Protection for administrative purposes.
 - d) The Kentucky Horse Racing Authority is attached to the Department of Public Protection for administrative purposes.
 - e) The Kentucky Public Service Commission is hereby established and attached to the Department of Public Protection for administrative purposes. The Commission is headed by an Executive Director appointed by the Commission in accordance with KRS 278.100.
 - i) The Division of General Counsel, the Divisions of Engineering, the Division of Financial Analysis, the Division of Consumer Services, and the Division of Filings are hereby established within the Kentucky Public Service Commission. These Divisions will be headed by Directors appointed by the



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-731

July 9, 2004

Executive Director in accordance with KRS 278.110.

- f) The Office of Alcoholic Beverage Control is hereby created and established within the Department of Public Protection. It shall be headed by an Executive Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050
- i) The Enforcement Division, Division of Distilled Spirits and the Division of Malt Beverages are hereby established within the Office of Alcoholic Beverage Control. These Divisions will be headed by Directors appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050
- g) The Office of Charitable Gaming is hereby created and established within the Department of Public Protection. It shall be headed by an Executive Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
- i) The Division of Licensing and Compliance and the Division of Enforcement are hereby established within the Office of Charitable Gaming. These Divisions will be headed by Directors appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050
- h) The Office of Financial Institutions is hereby created and established within the Department of Public Protection. It shall be headed by an Executive Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
- i) The Division of Financial Institutions and the Division of Securities are hereby established within the Office of Financial Institutions. These



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-731

July 9, 2004

Divisions will be headed by Directors appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050

- i) The Office of Housing, Buildings and Construction is hereby created and established within the Department of Public Protection. It shall be headed by an Executive Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
- i) The Housing, Buildings and Construction Board is hereby established within the Office of Housing, Buildings and Construction.
- ii) The Division of Fire Prevention, the Division of Building Codes Enforcement, the Division of Plumbing and the Division of HVAC are hereby established within the Office of Housing, Buildings and Construction. These Divisions will be headed by Directors appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050
- iii) The Mobile Home Board and RV Board are hereby established within the Office of Housing, Buildings and Construction.
- j) The Office of Insurance is hereby created and established within the Department of Public Protection. It shall be headed by an Executive Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
- i) The Property and Casualty Division, the Division of Life Insurance, the Division of Financial Standards and Examination, the Division of State Risk and Insurance Services, the Division of Agent Licensing, the Division of Insurance Fraud Investigation, the Division of Consumer Protection and Education, the Division of Health Insurance Policy and Managed Care, and the Division of Kentucky Access are hereby established within the Office of



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-731

July 9, 2004

Insurance. These Divisions will be headed by Directors appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.

VI. The Department of Labor is created and established within the Cabinet for Environmental and Public Protection. This Department will be headed by a Commissioner appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050. It shall contain the following organizational units:

- a) The Office of the Commissioner is hereby established within the Department of Labor. It shall be headed by the Commissioner of the Department.
- b) The Office of Occupational Safety and Health is hereby established within the Department of Labor, to be headed by an Executive Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
 - i) The Division of Education and Training and the Division of Compliance are hereby established within the Office of Occupational Safety and Health. These Divisions will be headed by Directors appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
- c) The Office of Labor Management Relations and Mediation is hereby established within the Department of Labor, to be headed by an Executive Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
- d) The Office of Workplace Standards is hereby established within the Department of Labor, to be headed by an Executive Director appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.
 - i) The Division of Employment Standards, Apprenticeship and Training and the Division of Workers Compensation Funds are hereby established within the



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2004-731

July 9, 2004

Office of Workplace Standards. These Divisions will be headed by Directors appointed by the Secretary with the approval of the Governor in accordance with KRS 12.050.

- e) The Office of Workers Claims is hereby established within the Department of Labor, to be headed by an Executive Director appointed by the Governor in accordance with KRS 342.228.
- i) The Division of Claims Processing, the Division of Security and Compliance, the Division of Information and Research, and the Division of Ombudsman and Specialist Services are hereby established within the Office of Workers Claims. These Divisions will be headed by Directors appointed by the Executive Director in accordance with KRS 342.230.
- f) The Workers Compensation Funding Commission, is hereby established within the Department of Labor.
- g) The Kentucky Labor-Management Advisory Council, the Occupational Safety and Health Standards Board, the Prevailing Wage Review Board, the Kentucky Employees Insurance Association, the Apprenticeship and Training Council, the State Labor Relations Board, the Kentucky Occupational Safety and Health Review Commission, the Workers Compensation Advisory Council, the State Labor Relations Board, the Workers Compensation Nominating Commission, and the Employers Mutual Insurance Authority are hereby established and attached administratively to the Department of Labor.



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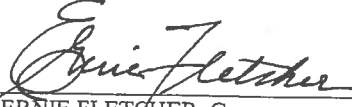
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2004-731

July 9, 2004

Signed this 9th day of July, 2004.


ERNIE FLETCHER, Governor
Commonwealth of Kentucky


TREY GRAYSON
Secretary of State

REORGANIZATION PLAN
ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

Reorganization Plan to Define
Executive Order #2004-731

LaJuana S. Wilcher, Secretary
Environmental and Public Protection Cabinet

Background

The Environmental and Public Protection Cabinet was established by Governor Fletcher in Executive Order 2003-064. The cabinet has the responsibility of ensuring that the citizens, consumers, workers, taxpayers, ratepayers, natural resources and environment receive the protection they are due. This agency is dedicated to the protection of Kentucky's citizens and natural resources.

Summary of Plan

General Administration and Support

1. Abolish the Natural Resources and Environmental Protection Cabinet. Cabinet employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
2. Abolish the Labor Cabinet. Cabinet employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
3. Abolish the Public Protection and Regulation Cabinet. Cabinet employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
4. Establish the Environmental and Public Protection Cabinet headed by a Secretary appointed by the Governor pursuant to KRS 12.255.
5. Establish the Office of the Secretary within the Environmental and Public Protection Cabinet headed by a Cabinet Secretary who will report to the Governor. This office will be responsible for providing leadership and policy direction for the cabinet.
6. Establish the Office of Legislative and Intergovernmental Affairs headed by an Executive Director who will report to the Cabinet Secretary. This office will be responsible for coordinating all legislative issues for the cabinet and will coordinate information requests between the cabinet and the General Assembly. Additionally, they will coordinate all programs and issues between state and federal government agencies. Cabinet employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
7. Establish the Office of Communications and Public Outreach headed by an Executive Director who will report to the Cabinet Secretary. This office will be responsible for coordinating the dissemination of information to the public and for responding to media requests. They will also coordinate all public outreach and environmental education efforts and programs conducted by the cabinet. Cabinet employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.

8. Establish the Office of Regulatory Affairs headed by an Executive Director who will report to the Cabinet Secretary. This office will be responsible for developing an overall regulatory strategy, schedule and consistent approach for the cabinet. They will ensure the development of clearly stated regulations that will assist the public and regulated community; provide quality control information and assistance concerning the implementation of regulations; offer a forum for our customers to provide input into the agency's decision making process and develop a system whereby Negotiated Rule Making would be a viable option available to the agency. Cabinet employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
9. Establish the Office of Legal Services headed by an Executive Director who will report to the Cabinet Secretary. This office will be responsible for coordinating and managing legal representation for the cabinet.
 - Establish the Environmental Protection Legal Division headed by a Director who will report to the executive director. This division will be responsible for handling legal issues for the Department for Environmental Protection.
 - Establish the Natural Resources Legal Division headed by a Director who will report to the executive director. This division will be responsible for handling legal issues for the Department for Natural Resources.
 - Establish the Public Protection Legal Division headed by a Director who will report to the executive director. This division will be responsible for handling legal issues for the Department of Public Protection.
 - Establish the Insurance Legal Division headed by a Director who will report to the executive director. This division will be responsible for handling legal issues for the Office of Insurance.
 - Establish the Charitable Gaming Legal Division headed by a Director who will report to the executive director. This division will be responsible for handling legal issues for the Office of Charitable Gaming.
 - Establish the Alcoholic Beverage Control Legal Division headed by a Director who will report to the executive director. This division will be responsible for handling legal issues for the Office of Alcoholic Beverage Control.
 - Establish the Housing, Buildings and Construction Legal Division headed by a Director who will report to the executive director. This division will be responsible for handling legal issues for the Office of Housing, Buildings and Construction.
 - Establish the Financial Institutions Legal Division headed by a Director who will report to the executive director. This division will be responsible for handling legal issues for the Office of Financial Institutions.
 - Establish the Labor Legal Division headed by a Director who will report to the executive director. This division will be responsible for handling legal issues for the Department of Labor.
 - Establish the Workers Claims Legal Division headed by a Director who will report to the executive director. This division will be responsible for handling legal issues for Workers Claims.
10. Establish the Office of Administrative and Information Services headed by an Executive Director who will report to the Cabinet Secretary. This office will be responsible for coordinating and managing all fiscal, budget, human resources and operations issues for the cabinet. The following divisions will be established within this office:

- Establish the Division of Fiscal Management headed by a Division Director who will report to the Executive Director. This division will be responsible for ensuring that proper fiscal controls are in place to protect the state and federal dollars received. Additionally, they will manage all federal grants and draw federal funds; process all purchases, receipts and payments, handle all general accounting functions for the cabinet and prepare all federal and state reports. Cabinet employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
 - Establish the Division of Budgets and Auditing headed by a Division Director who will report to the Executive Director. This division will be responsible for preparation and submission of the cabinet's biennial budget; for requesting appropriation and allotment increases; for establishing operating budgets and for monitoring the cabinet's compliance with the enacted biennial budget. Additionally, the division will conduct internal audits of the administrative functions of the agency to ensure compliance with all fiscal, personnel and operational policies, procedures, statutes and regulations. Cabinet employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
 - Establish the Division of Human Resource Management headed by a Division Director who will report to the Executive Director. This division will be responsible for processing all personnel, payroll, worker's compensation, health and life insurance documents for all cabinet employees. Additionally, this division will be responsible for recruiting, coordinating and overseeing the cabinet's participation in the Governor's Minority Management Trainee Program and for developing and disseminating training to cabinet employees. Cabinet employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
 - Establish the Division of Information Services headed by a Division Director who will report to the Executive Director. This division will be responsible for coordinating all information technology services for the cabinet and for ensuring consistency among the various systems.
11. Establish the Office of Administrative Hearings headed by an Executive Director who will report to the Cabinet Secretary. This office will be responsible for holding administrative and adjudicatory hearings upon the filing of a petition or complaint. The office is not affiliated with the cabinet's regulatory programs, inspectors or the Office of Legal Services.
 12. Establish the Office of the Inspector General headed by an Executive Director who will report to the Cabinet Secretary. This office will be responsible for conducting investigations into violations of environmental laws and regulations that extend beyond the scope of field inspections. OIG will provide support for and coordinate the cabinet's participation in investigations involving intra- and inter-agency organizations, sister states and federal authorities. OIG will be responsible for administrative investigations necessary for the effective and efficient management of the cabinet.
 13. Establish the Mine Safety Review Commission in recognition that the health and safety of the Kentucky's coal miners is of the highest priority. The Commission conducts hearings concerning licensed persons, and both certified and non-certified involved in coal mining,

who are charged with willful and repeated violations of Kentucky's mine safety laws, and placing miners in imminent danger of serious injury or death. The Commission is charged with conducting hearings and issuing orders regarding licensees, coal operations, and other persons involved in the mining of coal in accordance with KRS 351.194.

14. Establish the Workers Compensation Board to serve in a quasi-judicial capacity to hear appeals of decisions made by the administrative law judges. Attaching this office to the Secretary's Office will ensure separation of powers.
15. Establish the Kentucky State Nature Preserves Commission headed by a Director who will report to the Cabinet Secretary and the five member commission. This commission will be responsible to protect Kentucky's natural heritage by identifying, acquiring, and managing natural areas that represent the best known occurrences of rare native species, natural communities and significant natural features in a statewide nature preserves system, to work with others to protect biological diversity and to educate Kentuckians as to the value and purpose of nature preserves and biodiversity conservation.
16. Establish the Environmental Quality Commission headed by an Executive Director who will report to the Cabinet Secretary and a seven-member citizen board. This commission will be responsible to facilitate public discussion and resolution of environmental issues, monitor environmental trends and conditions, promote partnerships to improve and protect the environment for future generations and to serve as an advisory board to state officials on environmental matters.

Department for Environmental Protection

1. Establish the Department for Environmental Protection headed by a Commissioner who will report to the Cabinet Secretary. The Office of the Commissioner is established to provide leadership and policy direction to the department.
2. Establish the Division for Air Quality headed by a Division Director who will report to the commissioner. This division will be responsible for protecting human health and the environment by achieving and maintaining acceptable air quality through the operation of a comprehensive air monitoring network and creating effective partnerships with air pollution sources and the public.
3. Establish the Division of Waste Management headed by a Division Director who will report to the commissioner. This division will be responsible for managing the solid waste, hazardous waste, underground storage tanks, superfund, field operations, resource conservation and local assistance programs for the citizens of the Commonwealth.
4. Establish the Division of Water headed by a Division Director who will report to the commissioner. This division will be responsible for managing the drinking water, facilities construction, field operations, Kentucky pollutant discharge elimination system, water quality, water resources and watershed management programs for the citizens of the Commonwealth.

5. Establish the Division of Environmental Services headed by a Division Director who will report to the commissioner. This division will be responsible for providing centralized laboratory testing for the cabinet.
6. Establish the Division of Enforcement headed by a Division Director who will report to the commissioner. This will consolidate enforcement activities from the Divisions of Water, Waste Management and Air Quality. This consolidation will provide a framework for application of consistent and coherent enforcement policies across division lines and will facilitate development of a sense of professionalism in the enforcement staff. Department employees currently performing these duties will be transferred to this new division to Establish better utilization of personnel resources, as their activities will not be limited to one single program area. The flexibility to cross-train employees and assign employees to work in more than one program area result in increased efficiency and effectiveness.
7. Establish the Division of Compliance Assistance headed by a Division Director who will report to the commissioner. The primary function of this office will be to serve as ombudsman for entities affected by regulatory activities conducted by the department and its divisions. The division will direct the Kentucky Environmental Leadership Program to be implemented pursuant to KRS 224.46-335, it will include the Clean Air Small Business Advisory Program currently conducted by department-level staff and will include the non-regulatory training roles of division-level staff for water and wastewater treatment plant operators.

Department for Natural Resources

1. Establish the Department for Natural Resources headed by a Commissioner who will report to the Cabinet Secretary. An Office of the Commissioner is established to provide leadership and policy direction to the department.
2. Establish the Office of Technical & Administrative Support headed by an Executive Director who will report to the commissioner. The primary function of this office will be to provide technical programmatic and administrative support to the department. Department employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
3. Establish the Mining Board who will report to the Commissioner.
4. Establish the Division of Mine Permits headed by a Division Director who will report to the commissioner. This division processes all surface coal mine permits and implements the Small Operator Assistance Program.
5. Establish the Division of Mine Reclamation & Enforcement headed by a Division Director who will report to the commissioner. This division has the responsibility for inspecting all surface and underground coal mining permits to assure compliance with the 1977 Federal Surface Mining Control Act (SMCRA). Additionally, the division is responsible for regulating and enforcing the surface mining reclamation laws for non-coal mining sites in the state. Department employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.

6. Establish the Division of Abandoned Mine Lands headed by a Division Director who will report to the commissioner. This division works throughout the state's coal fields to protect the public from health and safety problems caused by mining that occurred prior to 1982. They administer a bond forfeiture reclamation program and a water supply replacement program
7. Establish the Office of Mine Safety & Licensing headed by an Executive Director who will report to the commissioner. This division has the responsibility to ensure that all coal miners in the Commonwealth are provided with a safe working environment; to provide effective education and training to coal miners to foster safe work practices; and to ensure that statutes and regulations regarding coal mining, the sale, storage, and use of explosives are enforced fairly and consistently. Department employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
 - Establish the Division of Explosives and Blasting headed by a Division Director who will report to the executive director.
 - Establish the Division of Safety Inspection and Licensing headed by a Division Director who will report to the executive director.
 - Establish the Division of Safety Analysis Training and Certification headed by a Division Director who will report to the executive director.
 - Establish the Division of Investigation headed by a Division Director who will report to the executive director.
 - Establish the Mining Board that will consist of seven members who will report to the Director of the Division of Mine Safety and Licensing.
8. Establish the Division of Oil & Gas Conservation headed by a Division Director who will report to the commissioner. This division has the responsibility to permit all oil and gas related wells; to regulate plugging and abandonment procedures for wells drilled through both non-coal-bearing strata and coal-bearing strata; and to inspect oil and gas facilities throughout the state. Department employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
 - Establish the Oil and Gas Commission consisting of four commission members who will report to the division director.
9. Establish the Division of Forestry headed by a Division Director who will report to the commissioner. This division has the responsibility to protect and enhance the forest resources of the Commonwealth through a public informed of the environmental and economic importance of these resources.
10. Establish the Division of Conservation headed by a Conservation Director who will report to the commissioner. This division will have the responsibility to assist Kentucky's 121 local conservation districts in the development and implementation of sound soil and water conservation programs to manage, enhance and promote the wise use of the Commonwealth's natural resources.
11. Establish the Division of Energy headed by a Division Director who will report to the commissioner. This division will have the responsibility to promote the wise use of energy for a healthier, more prosperous and sustainable future. They will help Kentuckians save

energy and use renewable energy resources through its programs, events, publications and tips.

Department of Public Protection

1. Establish the Department of Public Protection headed by a Commissioner who will report to the Cabinet Secretary. An Office of the Commissioner is established to provide overall management and direction to the offices and programs within the department. Department employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
2. Establish the Division of Administrative Services headed by a Division Director who will report to the commissioner. This division will serve as the department's official personnel and fiscal center. Department employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
3. Establish the Board of Claims and Crime Victims Compensation Board headed by an Executive Director who will report to the commissioner for administrative purposes. This office decides claims filed against the state by citizens who believe their property has been damaged through negligent acts on the part of the state. The Crime Victims Compensation Board operates under the authority of KRS Chapter 346 and Title 107 of KAR and determines eligibility and amount of reimbursement to innocent, needy crime victims.
4. Establish the Kentucky Board of Tax Appeals headed by an Executive Director who will report to the commissioner for administrative purposes. This office hears and determines tax appeals from final rulings, orders and determinations of state or county government agencies regarding revenue and taxation.
5. Establish the Kentucky Horse Racing Authority headed by an Executive Director who will report to the commissioner for administrative purposes. This office regulates and provides oversight of the horse racing industry and promotes Kentucky horse racing.
 - Establish the Division of Racing/Security headed by a Division Director who will report to the Executive Director.
 - Establish the Division of Licensing headed by a Division Director who will report to the Executive Director.
6. Establish the Kentucky Athletic Commission who will report to the commissioner for administrative purposes.
7. Establish the Public Service Commission (PSC) headed by an Executive Director who will report to the commissioner and will be attached for administrative purposes. The PSC oversees state utility companies providing electric, telecommunications, water and natural gas service to the public; ensures utilities charge fair and reasonable rates for services rendered and that services are adequate, efficient and reliable.
 - Establish the Division of General Counsel headed by a Division Director who will report to the executive director.
 - Establish the Division of Engineering headed by a Division Director who will report to the executive director.

- Establish the Division of Financial Analysis headed by a Division Director who will report to the executive director.
 - Establish the Division of Filings headed by a Division Director who will report to the executive director.
 - Establish the Division of Consumer Services headed by a Division Director who will report to the executive director.
8. Establish the Office of Alcoholic Beverage Control headed by an Executive Director who will report to the commissioner. This office regulates the alcoholic beverage industry by licensing the production and sale of alcoholic beverages; enforces state liquor laws, and regulates tobacco sales to minors. Department employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
- Establish the Division of Distilled Spirits headed by an Administrator who will report to the executive director.
 - Establish the Division of Malt Beverage headed by an Administrator who will report to the executive director.
 - Establish the Enforcement Division headed by a Division Director who will report to the executive director.
9. Establish the Office of Charitable Gaming headed by an Executive Director who will report to the commissioner. This office regulates state charitable gaming laws and regulations through public education, inspections and licensing. Department employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
- Establish the Division of Licensing and Compliance headed by a Division Director who will report to the executive director.
 - Establish the Division of Enforcement headed by a Division Director who will report to the executive director.
10. Establish the Office of Financial Institutions headed by an Executive Director who will report to the commissioner. This office charters, licenses and/or regulates all state banks and branches; trust departments and independent trust companies; state credit unions; state savings and loan associations; consumer and industrial loan companies; mortgage loan companies and mortgage loan brokers; companies selling money orders and check-cashing institutions.
- Establish the Division of Financial Institutions headed by a Division Director who will report to the executive director.
 - Establish the Division of Securities headed by a Division Director who will report to the executive director.
11. Establish the Office of Housing, Buildings and Construction headed by an Executive Director who will report to the commissioner. This office regulates all construction of buildings through enforcement of building and fire codes. Department employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
- Establish the Housing, Buildings and Construction Board who will report to the executive director.
 - Establish the Division of Fire Prevention headed by a Division Director who will report to the executive director.

- Establish the Mobile Home Board who will report to the division director.
 - Establish the RV Board who will report to the division director.
 - Establish the Division of Building Codes Enforcement headed by a Division Director who will report to the executive director.
 - Establish the Division of Plumbing headed by a Division Director who will report to the executive director.
 - Establish the Division of HVAC headed by a Division Director who will report to the executive director.
 - Establish the HVAC Board who will report to the division director.
12. Establish the Office of Insurance headed by an Executive Director who will report to the commissioner. This office regulates property, casualty, life, and health insurance companies operating in the state through the control of coverage and market practices; administers testing and issuance of licenses to agents; and procures state insurance for state-owned properties.
- Establish the Property and Casualty Division headed by a Division Director who will report to the executive director.
 - Establish the Division of Life Insurance headed by a Division Director who will report to the executive director.
 - Establish the Division of Financial Standards and Examination headed by a Division Director who will report to the executive director.
 - Establish the Division of State Risk and Insurance Services headed by a Division Director who will report to the executive director.
 - Establish the Division of Agent Licensing headed by a Division Director who will report to the executive director.
 - Establish the Division of Insurance Fraud Investigation headed by a Division Director who will report to the executive director.
 - Establish the Division of Consumer Protection and Education headed by a Division Director who will report to the executive director.
 - Establish the Division of Health Insurance Policy and Managed Care headed by a Division Director who will report to the executive director.
 - Establish the Division of Kentucky Access who will report to the executive director.

Department of Labor

1. Establish the Department of Labor headed by a Commissioner who will report to the Cabinet Secretary. The Office of the Commissioner is established to provide overall management and direction to the offices and programs within the department. Department employees will be reassigned based on duties to be performed and the technical expertise and knowledge needed in the program area.
2. Establish the Division of Administrative Services headed by a Division Director who will report to the commissioner. This division will centralize the administrative and information technology functions of the department.
3. Establish the Office of Occupational Safety and Health headed by an Executive Director who will report to the commissioner. This office will be responsible for ensuring a safe and healthful workplace for the working men and women of the Commonwealth by enforcing Kentucky's occupational safety and health standards, rules and regulations.

- Establish the Division of Education and Training headed by a Division Director who will report to the executive director.
 - Establish the Division of Compliance headed by a Division Director who will report to the executive director.
4. Establish the Office of Labor Management Relations and Mediation headed by an Executive Director who will report to the commissioner. This office will be responsible for fostering positive communications between labor and management.
 5. Establish the Office of Workplace Standards headed by an Executive Director who will report to the commissioner. This office will be responsible for enforcing Kentucky's labor laws, promoting and monitoring registered apprenticeship in the Commonwealth, administering the Special Fund and Coal Workers' Pneumoconiosis Fund.
 - Establish the Division of Employment Standards, Apprenticeship and Training headed by a Division Director who will report to the executive director.
 - Establish the Division of Workers' Compensation Funds headed by a Division Director who will report to the executive director.
 6. Establish the Office of Workers Claims headed by an Executive Director who will report to the commissioner. This office will be responsible for assuring prompt delivery of statutory benefits, including indemnity payments, medical services and rehabilitation to workers injured on the job.
 - Establish the Division of General Counsel headed by Supervisor who will report to the executive director.
 - Establish the Division of Claims Processing headed by a Division Director who will report to the executive director.
 - Establish the Division of Security and Compliance headed by a Division Director who will report to the executive director.
 - Establish the Division of Information and Research headed by a Division Director who will report to the executive director.
 - Establish the Division of Ombudsman and Specialist Services headed by a Division Director who will report to the executive director.
 7. Establish the Workers Compensation Funding Commission headed by an Executive Director who will report to the commissioner. This office is responsible for controlling, investing and managing the funds collected pursuant to KRS Chapter 342.
 8. Establish the Occupational Safety and Health Standards Board who will report to the executive director. This board will be responsible for promulgating occupational safety and health standards.
 9. Establish the Kentucky Employees Insurance Association who will report to the executive director.
 10. Establish the Workers' Comp Advisory Council who will report to the executive director.
 11. Establish the State Labor Relations Board who will report to the executive director.

12. Establish the Kentucky Labor-Management Advisory Council who will report to the executive director.
13. Establish the Prevailing Wage Review Board who will report to the executive director.
14. Establish the Apprenticeship and Training Council who will report to the executive director.
15. Establish the Kentucky Occupational Safety and Health Review Commission who will report to the executive director.
16. Establish the Employers Mutual Insurance Authority who will report to the executive director.
17. Establish the Workers Compensation Nominating Commission who will report to the executive director.

Fiscal Impact

The proposed reorganization will provide long-term administrative efficiencies by merging the administrative, information technology and legal functions. Additional savings will be realized as continue to review processes for possible overlap and redundancy. It is estimated that this reorganization will save the taxpayers of the Commonwealth \$200,000 annually.

Personnel Impact

The reorganization will involve the transfer of 746 employees and/or positions into different organizational units.

Net Effect

The proposed reorganization will improve the cabinet's ability to effectively manage employees and programs, meet new programmatic requirements mandated by federal and state laws and provide services more effectively and efficiently to the Commonwealth.

EXHIBIT G



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2003 - 064

December 23, 2003

RECEIVED AND FILED
DATE December 23, 2003
1:56 p.m.

JOHN Y BROWN III
COMMONWEALTH OF KENTUCKY
BY R. Allen

RELATING TO REORGANIZATION OF THE
EXECUTIVE BRANCH OF GOVERNMENT

WHEREAS, I campaigned for Governor with a commitment to streamline state government and ensure that citizens of Kentucky get the best value for their tax dollars; and

WHEREAS, public officials must constantly seek improvements in the quality of state services and their administration and management; and

WHEREAS, the electorate has mandated a modernization of government organizations and delivery systems to improve services and minimize the costs thereof; and

WHEREAS, the Governor's Blue Ribbon Commission On Governmental Organization and Efficiency has proposed certain modifications of the governmental structure to further the objectives of improved management and more effective service to the taxpaying public; and

WHEREAS, it is my intent to fully review and consider the recommendations of the Blue Ribbon Commission in a thoughtful, step by step, and methodical manner; and

WHEREAS, I have concluded that, as an initial implementation phase of reorganization, a merger of various cabinets of the Executive Branch of government will promote a more efficient, economical and integrated system for the delivery of services; and

WHEREAS, KRS 12.020 and KRS 12.023 establish the program cabinets headed by appointed officers and establish the organizational units and administrative bodies attached to the Office of the Governor; and

WHEREAS, the efficiency and economy of government and more effective delivery of services to the citizens of the Commonwealth of Kentucky will be enhanced by establishing a reorganization plan for the executive branch of state government;

NOW THEREFORE, I, Ernie Fletcher, Governor of the Commonwealth of Kentucky, under the authority vested in me by the Kentucky Constitution, Sections 69 and 81, and KRS 12.028, do hereby ORDER and DIRECT the following:



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2003 - 064

December 23, 2003

Secretary of State
Frankfort
Kentucky

PART ONE

OFFICE OF THE GOVERNOR

I. The following organizational units and administrative bodies shall be attached to the Office of the Governor:

1. Department of Local Government
2. Department of Military Affairs
3. Kentucky Commission on Human Rights
4. Kentucky Commission on Women
5. Office of the State Budget Director
6. Department of Veterans' Affairs
7. Kentucky Commission on Military Affairs
8. The Department of Personnel ("Department") is hereby created and established. A Commissioner appointed by the Governor pursuant to KRS 12.040 shall head the Department. The Commissioner of the Department of Personnel shall be a member of the Governor's Executive Cabinet under the provisions of KRS 11.065. Except as otherwise provided, the Commissioner shall have exclusive control and direction over all duties, functions, and responsibilities previously exercised by the Secretary of the Personnel Cabinet. All authority, functions and responsibilities vested in the Secretary of the Personnel Cabinet are hereby transferred to the Commissioner of the Department of Personnel who shall use that authority, function and responsibility to carry out the functions of the Department. The Commissioner shall be responsible for making recommendations for the establishment of various divisions and organizational units within the Department so as to maximize efficiency of operation in order to carry out the missions and programs of the Department. The Personnel Cabinet is hereby abolished. All duties, functions, responsibilities, records, equipment, staff and support budgets of the Personnel Cabinet are hereby transferred to the Department of Personnel

The Department of Personnel shall consist of the following organizational units that are hereby created:

- a. Office of Administrative and Legal Services – the Office of Administrative and Legal Services shall be headed by an Executive Director who shall be appointed by the Commissioner with the approval of the Governor in accordance with KRS 12.050.
- b. Office for Personnel Administration – the Department for Personnel Administration shall be renamed the Office for Personnel Administration. The Office for Personnel Administration shall be headed by an Executive Director who shall be appointed by the Commissioner with the approval of the Governor in accordance with KRS 12.050. All divisions within the Department for Personnel



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2003 - 064

December 23, 2003

Secretary of State
Frankfort
Kentucky

Administration shall be transferred to the Office for Personnel Administration.

- c. Office for Employee Relations – the Department for Employee Relations shall be renamed the Office for Employee Relations. The Office for Employee Relations shall be headed by an Executive Director who shall be appointed by the Commissioner with the approval of the Governor in accordance with KRS 12.050. All divisions within the Department for Employee Relations shall be transferred to the Office for Employee Relations.
- d. Office for Public Employee Health Insurance – the Office for Public Employee Health Insurance shall be headed by an Executive Director who shall be appointed by the Commissioner with the approval of the Governor in accordance with KRS 12.050.
- e. Kentucky Public Employees Deferred Compensation Authority, which shall be attached to the Department for administrative purposes only.

II. The Kentucky Commission on Human Rights, the Kentucky Commission on Women and the Commissioner of the Department of Personnel shall report to the Secretary of the Executive Cabinet.

PART TWO

ESTABLISHMENT OF THE CABINETS

I. There shall be eight program cabinets headed by appointed officers:

- 1. Education Cabinet
- 2. Finance and Administration Cabinet
- 3. Health and Family Services Cabinet
- 4. Transportation Cabinet
- 5. Commerce Cabinet
- 6. Environmental and Public Protection Cabinet
- 7. Justice and Public Safety Cabinet
- 8. Economic Development Cabinet

EDUCATION CABINET

I. The Education Cabinet is hereby created and established. A Secretary appointed by the Governor pursuant to KRS 12.255 shall head the Education Cabinet. Except as otherwise provided, the Secretary shall have exclusive control and direction over all duties, functions, and responsibilities previously exercised by the Secretary of the Education, Arts and Humanities Cabinet. All authority, functions and responsibilities previously vested in the Secretary of the Education, Arts and Humanities Cabinet, and the authority, functions and responsibilities previously vested in the Secretary of the



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2003 - 064

Secretary of State

Frankfort
Kentucky

December 23, 2003

Workforce Development Cabinet for the organizational units transferred from the Workforce Development Cabinet, are hereby transferred to the Secretary of the Education Cabinet who shall use that authority, function and responsibility to carry out the functions of the Cabinet. The Secretary shall be responsible for making recommendations for the establishment of various departments, divisions and organizational units within the Cabinet so as to maximize efficiency of operation in order to carry out the missions and programs of the Cabinet. The Education, Arts and Humanities Cabinet is hereby abolished. All duties, functions, responsibilities, records, equipment, staff and support budgets of the organizational units of the Education, Arts and Humanities Cabinet identified below are hereby transferred to the Education Cabinet.

The Workforce Development Cabinet is hereby abolished. All duties, functions, responsibilities, records, equipment, staff and support budgets of the organizational units of the Workforce Development Cabinet identified below are hereby transferred to the Education Cabinet.

The following organizational units are transferred from the Education, Arts and Humanities Cabinet and attached to the Education Cabinet:

- a) Department of Education
- b) Department for Libraries and Archives
- c) Kentucky Educational Television
- d) Kentucky Commission on the Deaf and Hard of Hearing
- e) Governor's Scholars Program
- f) Operations and Development Office
- g) Board of Directors for the Center for School Safety

The following organizational units are transferred from the Workforce Development Cabinet and attached to the Education Cabinet:

- a) Department for Technical Education
- b) Department for Vocational Rehabilitation
- c) Department for the Blind
- d) Department for Employment Services
- e) Kentucky Technical Education Personnel Board
- f) Department for Training and Reemployment
- g) Office of General Counsel
- h) Office of Communication Services
- i) Office of Workforce Partnerships
- j) Office of Workforce Analysis and Research
- k) Office of Budget and Administrative Services
- l) Office of Technology Services
- m) Office of Quality and Human Resources

The following organizational units are attached to the Education Cabinet:

- a) Council on Postsecondary Education



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2003 - 064

Secretary of State
Frankfort
Kentucky

December 23, 2003

- b) Education Professional Standards Board

FINANCE AND ADMINISTRATION CABINET

I. The Finance and Administration Cabinet is hereby re-created and established. A Secretary appointed by the Governor pursuant to KRS 12.255 shall head the Finance and Administration Cabinet. The Secretary shall have exclusive control and direction over all duties, functions, and responsibilities of the Cabinet and shall use that authority, function and responsibility to carry out the functions of the Cabinet. All authority, functions, responsibilities, records, equipment, staff and support budgets previously vested in the Secretary of the Revenue Cabinet are hereby transferred to the Secretary of the Finance and Administration Cabinet who shall use that authority, function and responsibility to carry out the functions of the Cabinet. The Secretary shall be responsible for making recommendations for the establishment of various departments, and organizational units within the Cabinet so as to maximize efficiency of operation in order to carry out the missions and programs of the Cabinet.

The Revenue Cabinet is hereby abolished. All duties, functions, responsibilities, records, equipment, staff and support budgets of the Revenue Cabinet are hereby transferred to the Finance and Administration Cabinet.

The following organizational units are attached to the Finance and Administration Cabinet:

- a) Office of Financial Management
- b) Office of the Controller
- c) Department for Administration
- d) Department of Facilities Management
- e) State Property and Buildings Commission
- f) Kentucky Pollution Abatement Authority
- g) Kentucky Savings Bond Authority
- h) Deferred Compensation Systems
- i) Office of Equal Employment Opportunity and Contract Compliance
- j) Office of Capital Plaza Tower Operations
- k) County Officials Compensation Board
- l) Kentucky Employees Retirement System
- m) Commonwealth Credit Union
- n) State Investment Commission
- o) Kentucky Housing Corporation
- p) Governmental Services Center
- q) Kentucky Local Correctional Facilities Construction Authority
- r) Kentucky Turnpike Authority
- s) Historic Properties Advisory Commission
- t) Kentucky Tobacco Settlement Trust Corporation
- u) Eastern Kentucky Exposition Center Corporation
- v) State Board for Proprietary Education
- w) The Governor's Office for Technology



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2003 - 064

Secretary of State
Frankfort
Kentucky

December 23, 2003

- x) The Kentucky Higher Education Assistance Authority
- y) The Kentucky River Authority

The following organizational units are transferred from the Revenue Cabinet and attached to the Finance and Administration Cabinet:

- a) Department of Property Valuation
- b) Department of Tax Administration
- c) Office of Financial and Administrative Services
- d) Department of Law
- e) Department of Information Ombudsman

The following organizational units are transferred from the Education, Arts, and Humanities Cabinet and attached to the Finance and Administration Cabinet:

- a) Kentucky Teachers' Retirement System Board of Trustees

HEALTH AND FAMILY SERVICES CABINET

I. The Health and Family Services Cabinet is hereby created and established. A Secretary appointed by the Governor pursuant to KRS 12.255 shall head the Cabinet for Health and Family Services. Except as otherwise provided, the Secretary shall have exclusive control and direction over all duties, functions, and responsibilities previously exercised by the Secretary of the Cabinet for Health Services and the Secretary of the Cabinet for Families and Children. All authority, functions and responsibilities previously vested in the Secretary of Cabinet for Health Services and Secretary of the Cabinet for Families and Children are hereby transferred to the Secretary of the Health and Family Services Cabinet who shall use that authority, function and responsibility to carry out the functions of the Cabinet. The Secretary shall be responsible for making recommendations for the establishment of various departments, divisions and organizational units within the Cabinet so as to maximize efficiency of operation in order to carry out the missions and programs of the Cabinet. The Cabinet for Health Services and the Cabinet for Families and Children are hereby abolished. All duties, functions, responsibilities, records, equipment, staff and support budgets of the Cabinet for Health Services and the Cabinet for Families and Children are hereby transferred to the Health and Family Services Cabinet.

The following organizational units are transferred from the Cabinet for Families and Children and attached to the Health and Family Services Cabinet:

- a) Department for Community Based Services
- b) Department for Disability Determination Services
- c) Public Assistance Appeals Board
- d) Office of the Secretary
- e) Kentucky Commission on Community Volunteerism and Service
- f) Office of the General Counsel
- g) Office of Program Support
- h) Office of Family Resource and Youth Services Centers



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2003 - 064

Secretary of State

Frankfort
Kentucky

December 23, 2003

- i) Office of Technology Services
- j) Office of the Ombudsman

The following organizational units are transferred from the Cabinet for Health Services and attached to the Health and Family Services Cabinet:

- a) Department for Public Health
- b) Department for Medicaid Services
- c) Department for Mental Health and Mental Retardation Services
- d) Kentucky Commission on Children with Special Health Care Needs
- e) Office of Certificate of Need
- f) Office of the Secretary
- g) Office of the General Counsel
- h) Office of the Inspector General
- i) Office of Aging Services

The following organizational unit is transferred from the Office of the Governor and attached to the Health and Family Services Cabinet:

- a) Office of Child Abuse and Domestic Violence Services

TRANSPORTATION CABINET

I. The Transportation Cabinet is hereby re-created and established. A Secretary appointed by the Governor pursuant to KRS 12.255 shall head the Transportation Cabinet. The Secretary shall have exclusive control and direction over all duties, functions, and responsibilities of the Cabinet and shall use that authority, function and responsibility to carry out the functions of the Cabinet. The Secretary shall be responsible for making recommendations for the establishment of various departments, divisions and organizational units within the Cabinet so as to maximize efficiency of operation in order to carry out the missions and programs of the Cabinet.

The following organizational units are attached to the Transportation Cabinet:

- a) Department of Highways
- b) Department of Vehicle Regulation, with the exception of the Vehicle Enforcement Division
- c) Department of Administrative Services
- d) Department of Fiscal Management
- e) Department of Rural and Municipal Aid
- f) Department of Human Resources Management
- g) Office of the Secretary
- h) Office of General Counsel and Legislative Affairs
- i) Office of Public Affairs
- j) Office of Policy and Budget
- k) Office of Technology
- l) Office of Quality
- m) Office of the Transportation Operations Center



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2003 - 064

Secretary of State
Frankfort
Kentucky

December 23, 2003

n) Office of Transportation Accountability

COMMERCE CABINET

I. The Commerce Cabinet is hereby created and established. A Secretary appointed by the Governor pursuant to KRS 12.255 shall head the Commerce Cabinet. Except as otherwise provided, the Secretary shall have exclusive control and direction over all duties, functions, and responsibilities previously exercised by the Secretary of the Tourism Development Cabinet. All authority, functions, responsibilities, records, equipment, staff and support budgets previously vested in the Secretary of the Tourism Development Cabinet, and the authority, functions, responsibilities, records, equipment, staff and support budgets previously vested in the Secretary of the Education, Arts, and Humanities Cabinet for the organizational units transferred from the Education, Arts, and Humanities Cabinet, are hereby transferred to the Secretary of the Commerce Cabinet who shall use that authority, function and responsibility to carry out the functions of the Cabinet. The Secretary shall be responsible for making recommendations for the establishment of various departments, divisions and organizational units within the Cabinet so as to maximize efficiency of operation in order to carry out the missions and programs of the Cabinet. The Tourism and Development Cabinet is hereby abolished. All duties, functions, responsibilities, records, equipment, staff and support budgets of the organizational units of the Tourism Development Cabinet identified below are hereby transferred to the Commerce Cabinet.

The following organizational units are transferred from the Tourism Development Cabinet to the Commerce Cabinet:

- a) Department of Travel
- b) Department of Parks
- c) Department of Fish and Wildlife Resources
- d) Kentucky Horse Park Commission
- e) State Fair Board
- f) Office of Administrative Services
- g) Office of General Counsel
- h) Tourism Development Finance Authority

The following organizational units are transferred from the Education, Arts, and Humanities Cabinet to the Commerce Cabinet:

- a) Kentucky Arts Council
- b) Kentucky Historical Society
- c) Kentucky Center for the Arts
- d) Kentucky Craft Marketing Program
- e) Governors' School for the Arts
- f) Kentucky African-American Heritage Commission
- g) The Kentucky Heritage Council



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2003 - 064

Secretary of State
Frankfort
Kentucky

December 23, 2003

The following organizational units are transferred from the Office of the Governor and attached to the Commerce Cabinet:

- a) Kentucky Appalachian Commission

The following organizational units are attached to the Commerce Cabinet:

- a) Commission on Small Business Advocacy

ENVIRONMENTAL AND PUBLIC PROTECTION CABINET

I. The Cabinet for Environmental and Public Protection is hereby created and established. A Secretary appointed by the Governor pursuant to KRS 12.255 shall head the Environmental and Public Protection Cabinet. Except as otherwise provided, the Secretary shall have exclusive control and direction over all duties, functions, and responsibilities previously exercised by the Secretary of the Natural Resources and Environmental Protection Cabinet, the Secretary of the Public Protection and Regulation Cabinet and the Secretary of the Labor Cabinet. All authority, functions and responsibilities previously vested in the Secretary of the Natural Resources and Environmental Protection Cabinet, the Secretary of the Public Protection and Regulation Cabinet and the Secretary of the Labor Cabinet are hereby transferred to the Secretary of the Environmental and Public Protection Cabinet who shall use that authority, function and responsibility to carry out the functions of the Cabinet. The Secretary shall be responsible for making recommendations for the establishment of various departments, divisions and organizational units within the Cabinet so as to maximize efficiency of operation in order to carry out the missions and programs of the Cabinet. The Natural Resources and Environmental Protection Cabinet, the Public Protection and Regulation Cabinet and the Labor Cabinet are hereby abolished. All duties, functions, responsibilities, records, equipment, staff and support budgets of the Natural Resources and Environmental Protection Cabinet, Public Protection and Regulation Cabinet and the Labor Cabinet are hereby transferred to the Cabinet for Environmental and Public Protection.

The following organizational units are transferred from the Natural Resources and Environmental Protection Cabinet and attached to the Environmental and Public Protection Cabinet:

- a) Environmental Quality Commission
- b) Kentucky Nature Preserves Commission
- c) Department for Environmental Protection
- d) Department for Natural Resources
- e) Department for Surface Mining Reclamation and Enforcement
- f) Office of Legal Services
- g) Office of Information Services
- h) Office of Inspector General



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2003 - 064

Secretary of State

Frankfort
Kentucky

December 23, 2003

The following organizational units are transferred from the Public Protection and Regulation Cabinet and attached to the Environmental and Public Protection Cabinet:

- a) Public Service Commission
- b) Department of Insurance
- c) Department of Housing, Buildings and Construction
- d) Department of Financial Institutions
- e) Department of Mines and Minerals
- f) Department of Public Advocacy
- g) Department of Alcoholic Beverage Control
- h) Kentucky Racing Commission
- i) Board of Claims
- j) Crime Victims Compensation Board
- k) Kentucky Board of Tax Appeals
- l) Office of Petroleum Storage Tank Environmental Assurance Fund
- m) Department of Charitable Gaming
- n) Mine Safety Review Commission
- o) Kentucky Athletic Commission

The following organizational units are transferred from the Labor Cabinet and attached to the Environmental and Public Protection Cabinet:

- a) Department of Workplace Standards
- b) Department of Workers' Claims
- c) Kentucky Labor-Management Advisory Council
- d) Occupational Safety and Health Standards Board
- e) Prevailing Wage Review Board
- f) Workers' Compensation Board
- g) Kentucky Employees Insurance Association
- h) Apprenticeship and Training Council
- i) State Labor Relations Board
- j) Kentucky Occupational Safety and Health Review Commission
- k) Office of Administrative Services
- l) Office of Information Technology
- m) Office of Labor-Management Relations and Mediation
- n) Office of General Counsel
- o) Workers' Compensation Funding Commission
- p) Employers Mutual Insurance Authority

JUSTICE AND PUBLIC SAFETY CABINET

I. The Cabinet for Justice and Public Safety is hereby created and established. A Secretary appointed by the Governor pursuant to KRS 12.255 shall head the Cabinet for Justice and Public Safety. Except as otherwise provided, the Secretary shall have exclusive control and direction over all duties, functions, and responsibilities previously



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2003 - 064

Secretary of State
Frankfort
Kentucky

December 23, 2003

exercised by the Secretary of the Justice Cabinet. All authority, functions and responsibilities previously vested in the Secretary of the Justice Cabinet are hereby transferred to the Secretary of the Cabinet for Justice and Public Safety who shall use that authority, function and responsibility to carry out the functions of the Cabinet. The Secretary shall be responsible for making recommendations for the establishment of various departments, divisions and organizational units within the Cabinet so as to maximize efficiency of operation in order to carry out the missions and programs of the Cabinet. The Justice Cabinet is hereby abolished. All duties, functions, responsibilities, records, equipment, staff and support budgets of the Justice Cabinet are hereby transferred to the Cabinet for Justice and Public Safety.

The following organizational units are attached to the Justice and Public Safety Cabinet:

- a) Department of State Police
- b) Department of Criminal Justice Training
- c) Department of Corrections
- d) Department of Juvenile Justice
- e) Office of the Secretary
- f) Office of the Deputy Secretaries
- g) Office of General Counsel
- h) Division of Kentucky State Medical Examiners Office
- i) Parole Board
- j) Kentucky State Corrections Commission
- k) Commission on Correction and Community Service

The following organizational units are transferred from the Transportation Cabinet and attached to the Justice and Public Safety Cabinet:

- a) Division of Vehicle Enforcement

The following organizational units are transferred from the Office of the Governor and attached to the Justice and Public Safety Cabinet:

- b) The Kentucky Agency for Substance Abuse Policy

ECONOMIC DEVELOPMENT CABINET

The Economic Development Cabinet is not affected by this reorganization.



ERNIE FLETCHER
GOVERNOR

EXECUTIVE ORDER

2003 - 064

December 23, 2003


Secretary of State
Frankfort
Kentucky

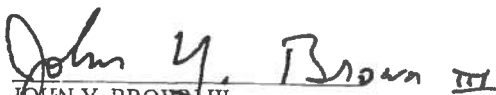
PART THREE

GENERAL ADMINISTRATION

1. All administrative regulations previously promulgated under the authority of the Executive Branch Cabinets prior to the filing of this Order shall remain in full force and effect and shall be administered by the Executive Branch Cabinets set forth herein until such time as those regulations are reviewed and re-promulgated by the newly established Cabinets.
2. All advisory bodies, committees, boards and commissions, created under the provisions of the Kentucky Revised Statutes, or otherwise, and attached to the Executive Branch Cabinets as they existed prior to the filing of this Order are hereby transferred and so attached to the appropriate newly established Cabinet with applicable subject matter jurisdiction.
3. The Secretary of the Executive Cabinet, the Commissioner of the Department of Personnel, and the Governor's Office for Policy and Management are directed to take such steps as are necessary to effectuate the provisions of this Order.
4. Except as otherwise provided, all personnel, records, equipment, facilities, functions, and budgets within the Cabinets abolished by this Order are hereby transferred to the newly created or re-created Cabinets in accordance with the division of jurisdictional responsibilities enumerated herein until such time as the Cabinet Secretaries shall submit their recommendations on further organization of the new Cabinets.
5. All questions that arise in interpreting any provisions of this Order shall be resolved by the Governor with the advice of the Secretary of the Executive Cabinet in accordance with KRS 12.100.

This order is effective December 16, 2003.


ERNIE FLETCHER, Governor
Commonwealth of Kentucky


JOHN Y. BROWN III
Secretary of State

REORGANIZATION PLAN

This Executive Order abolishes several program Cabinets and transfers the respective duties, functions, and responsibilities of the abolished Cabinets to newly and/or re-created Cabinets. The reorganization is for administrative purposes resulting in a reduction of personnel. Therefore, the fiscal impact of the Reorganization will not result in any net increased expenditures to Kentucky state government.