

LONG TERM POLICY DEVELOPMENT
COMMITTEE

Minutes of the Seventh Meeting
December 7, 1990

The seventh meeting of the Long Term Policy Development Committee was held Friday, December 7, 1990 in the Kentucky Room at the Capital Plaza Hotel in Frankfort. Representative Scorsone called the meeting to order at 2:15 p.m.

Present were:

Members: Representative Rocky Adkins, Ron Carson, Judy Clabes, Senator Bill Clouse, Jr., John Cubine, Representative Ken Harper, Vic Hellard, Jr., Phyllis Liebman, Dr. Donald Swain, Representative Ernesto Scorsone, and Senator Tim Shaughnessy.

Guests: Paul Bergmann, Kentucky Chapter, American Planning Association; Dr. Keon Chi, Council of State Governments; Gordon Garner, Louisville Metropolitan Sewer District; Tony Goetz, University of Kentucky; David Jorns, Northern Kentucky University; Mark Marraccini, Kentucky Labor Cabinet; Sally Smathers, Kentucky League of Women Voters; and Peggy Pauley, EQC.

LRC Staff: Peggy Hyland, Jim Eddleman, Mary Helen Miller, Billie Sebastian, Don Judy, Linda Kubala, and John Schaaf.

Vic Hellard, Jr. moved that the committee accept the concept of the Cubine proposal. The motion was seconded. Senator Shaughnessy thought the committee might also want to incorporate some facets of the other proposals into their final recommendation. The motion carried.

Representative Scorsone asked Ms. Clabes to comment on the specific issues of the Cubine proposal that were of concern to the participants of the Expanding Horizons conference working groups or if there were any specific recommendations about the proposal she would care to make. She said the funding was a concern and there was some question about whether the judicial branch should be included in the Board makeup. There were suggestions that parts of the other two proposals should be implemented, specifically from the Critical Trends Assessment Model in the selection of topics and being more specific about timeframes.

The committee discussed setting up an endowment for the Center and also allowing memberships to generate private funds. Ms. Clabes thought the endowment should initially be from the legislature to secure a minimum funding for ongoing activities; it wouldn't preclude private sector donations. A program for matching funds was suggested.

Mr. Cubine suggested that it be an appropriation for a restricted trust authorized to spend investment income only, and the

principal would be protected, along with the provision that if the group be disbanded the principal would be returned to the Commonwealth. Dr. Swain agreed that this could serve as a private ongoing core funding so that a lot of energy wouldn't be wasted on fundraising. Some participation by the private sector contributing to the endowment fund or memberships would be very helpful and should be encouraged.

Representative Scorsone concluded the committee is asking for an endowment scheme with heavy legislative involvement in the beginning, but prefers the funding to be open so as to permit both private donations and individual memberships.

The committee then considered Board membership and representation of interests on the governing body for the group. Ms. Clabes said one specific question was whether or not the committee wanted to recommend judicial representation on the Board. Ms. Clabes commented that the Board would identify trends and felt the committee should have a sensitivity to a potential conflict of interest. Phyllis Liebman commented on one issue which arose during discussion of the North Carolina Model. It was felt that local government-type grassroots representation in terms of input to the policymakers was very important.

Mr. Hellard asked if the Committee had a number of Board members in mind. Representative Scorsone suggested the committee consider the size of the governing Board. Mr. Hellard suggested staff could look at alternative ways of getting the representation the Committee wanted.

Senator Shaughnessy thought the size would depend on what the Committee views the function of the Board to be. He also believed there should be strong requirements for participation on the Board and even mandate if a member has so many unexcused absences they would be removed from the Board. Grassroots involvement is important, but the "best and brightest" should apply throughout this and they should be the leaders of the state.

It was felt that meeting only once a year was not enough, that the committee should meet perhaps twice, but have an Executive Committee which met more frequently. This may allow a way of getting a workable Executive Committee and a broad-based Board or Commission.

Ms. Clabes said she thought if they were going to get a broad-based representation on the Board, they'd have to have a large Board. It was commented that the size might also depend on the Board's function. It was also suggested that staff could determine what the long-range projects or issues are, and the Board could decide what the priorities are of each of those issues. One committee member thought that one of the first important functions of the Board would be to hire the Executive Director, then work with that Director to help oversee the startup of a complicated process.

Dr. Swain suggested that you could have advisory groups

representing different aspects of the state or geographical distributions, and a very compact working Board select and supervise the Executive Director. Then it could have a series of advisory groups to get the grassroots participation. But he was concerned about getting too big a group. Ms. Clabes thought they needed to consider the balance of the representation on the Board.

Dr. Swain asked if having them divorce the governing aspect of the Center from grassroots activism or grassroots linkage wouldn't be accomplished by the utilization of the Executive Committee. Mr. Cubine commented on the Board's ability to run the Center at 39 members. If the committee is going to set up the size of Board that would be an operational hands-on Board, then it would be premature to decide how much authority the Board may or may not want to delegate to the Executive Director. If you have a Board that will operate as an Executive Committee and participate and actually make the decisions, then use external advisory groups to make suggestions for topics. Unless you're going to delegate a tremendous amount of authority to the Executive Director, a group of 40 is tough to get together to vote on issues. Ms. Clabes agreed, especially when the public portion of the Executive Committee will be volunteer.

Representative Scorsone asked Mr. Cubine if he was comfortable with integrating all these roles into one Board and making it a smaller Board. Mr. Cubine commented that there has to be some way to get the local input which is so important to the agenda-setting function, but you don't want to have to convene forty people every time you want to do business. It was suggested that the trade-off would be to have a smaller, more involved and stronger Board, and advisory groups or a larger Board with an Executive Committee that meets more frequently and works more closely with the Executive Director. The consensus of the committee was they would be more comfortable with 21 members.

They then discussed makeup of the Board. The committee definitely wanted local representation involved on the Board, and it was questioned whether geographic distribution was implied in "local representation." The committee agreed they wanted the majority of the Board members to be from the private sector, but wanted about half to be from the government sector, including the executive and legislative branches.

Senator Shaughnessy suggested LRC staff look at percentages in other proposals. Mr. Hellard agreed that LRC staff could study and come up with Board composition alternatives. Mr. Cubine commented that statutorily membership could include representatives from labor, business, etc. but not specific named organizations. There was also concern that the committee be wary of the perception that private sector people are those appointed because of their political connections.

Representative Scorsone summarized the committee's thoughts on Board composition. They wanted 21 members, the majority from the private sector; staff is to examine creative ways to get executive and legislative representation and build into this process a

systematic linkage with elected leadership. Dr. Swain suggested methods whereby every two years the executive branch and legislative branch could both reassert their involvement by suggesting issues to be pursued. Otherwise, there is not much sense of ownership, but with participation by leadership, they won't just forget about it.

Conversely, he thought the committee needed to ask staff to think about how they ensure sufficient independence of the operation so it doesn't become strictly a political arm of the Governor or legislative leadership, and could tackle some tough issues even though it might raise some political issues.

Another suggestion was to rotate members on the board by setting periods of terms.

The committee then discussed the Board chairmanship. Mr. Cubine suggested the Board would elect its Chair, and it could be mandated that if the Chair was from the governmental sector, the Vice Chair must be from the private sector, and it would turn over every year to the other side.

Representative Scorsone questioned how the committee would guarantee some degree of goodwill between agencies. Mr. Cubine commented that there could be statutory language requiring cooperation, but the committee could go only so far to legislate cooperation, until at some point the public caucus and public pressure would force cooperation.

Mr. Carson thought the linkage to elected leadership would take care of that. If a lot of people are involved early enough to feel some sense of ownership, it will generate cooperation.

Ms. Liebman thought one thing that would help that entire process would be geographic placement. She felt that if the committee tried to locate this office anywhere away from the seat of government, it would never work, no matter what kind of good faith was involved, because of the unavailability of research staff due to the conflicts with other agencies.

Dr. Swain agreed the committee ought to have cooperation and to keep costs down as much as possible, but he thought it would have a weaker operation if they essentially depended on voluntary staff. In the long run, he thought they needed to have enough resources to make it work, to make it possible to get the best and the brightest when they needed them and that's going to take money sometimes; at other times it's going to take cooperation. But they shouldn't trust always to have cooperation. This is an operational concern -- they can't make this too much of a voluntary effort.

Mr. Hellard asked Mr. Cubine if he had envisioned the Center to be totally staffed by voluntary resources. Mr. Cubine agreed that it would be impossible, especially when the expertise needed resided in a particular area of government.

Mr. Hellard thought the Center should do as much as possible

using existing resources, but there should be financial resources as well. He thought staffing should not be voluntary. The Center should have its own staff and own identity. The Center needs a good solid core staff, and then use the expertise from other agencies, universities, and the private sector.

Mr. Hellard was concerned about some procedural things, i.e. exactly how the Board should be involved; how the research projects would be determined; once an issue is being resolved would it be necessary to have some kind of issue committee. He suggested the committee have staff put together some kinds of alternative suggestions how it would work. It was suggested the Center might need by-laws to outline how issues are going to be determined and what kind of procedure they're going to use.

Senator Shaughnessy suggested the committee consider mandating a study be done every four years and project different scenarios. In addition to studying issues, they would have something else that really looks to the future.

The committee discussed Dr. Swain's questions about the functions of the Board itself. Representative Scorsone said its purpose was not to try to identify trends twenty years in advance, but rather what we can document now that will affect us twenty years from now. Those are trends that we can identify very specifically and very usefully, that we ought to focus on because they have public policy implications. The other thing that needs to be done is some strategic planning that can be laid out over a period of some years.

Mr. Cubine suggested that another function of the Board should be to publish a report.

The meeting was adjourned at 3:00 p.m.

