

INTERIM JOINT COMMITTEE ON APPROPRIATIONS AND REVENUE

Budget Review Subcommittee on General Government, Finance, Personnel, and Public Retirement

Minutes of the 1st Meeting of the 2020 Interim

July 8, 2020

Call to Order and Roll Call

The first meeting of the Budget Review Subcommittee on General Government, Finance, Personnel, and Public Retirement of the Interim Joint Committee on Appropriations and Revenue was held on Wednesday, July 8, 2020, at 9:00 AM, in Room 171 of the Capitol Annex. Senator Robby Mills, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Robby Mills, Co-Chair and Representative Jim Stewart III, Co-Chair; Senators Julie Raque Adams, Christian McDaniel, Dennis Parrett, Reginald Thomas, and Phillip Wheeler; Representatives Kevin D. Bratcher, Jim Gooch Jr., Joe Graviss, Mark Hart, Adam Koenig, Michael Meredith, Suzanne Miles, Jerry T. Miller, Patti Minter, Phillip Pratt, and Nancy Tate.

Guests: Rodney Brewer, Commissioner, Kentucky State Police (KSP), Justice and Public Safety Cabinet; Major Jamie Heller, KSP; Lt. Jason Palmer, KSP; and, Sam Ruth, Commissioner, Department of Facilities and Support Services, Finance and Administration Cabinet.

LRC Staff: Emma Mills, Liz Columbia, and Spring Emerson.

Capitol Campus Security

Commissioner Brewer provided an overview and update on Capitol Campus security.

In response to a question from Representative Bratcher regarding the role of the KSP in the recent riot activity in Louisville and Jefferson County, Commissioner Brewer said the KSP was in the vicinity of the central downtown area for eight days, with an average of 100 troopers involved per night, from approximately 4:00 PM to 3:00 AM. The presence of KSP troopers was welcomed as a supplement to the Louisville Police Department. The KSP also responded to disruptive crowd issues in Jefferson County, but for the most part, the presence of KSP was located in the downtown area.

In response to a question from Representative Tate regarding security assessments for property damage during protests, Commissioner Brewer said Secret Service overall assessments of Campus security vulnerabilities and their protocols are performed on a regular basis every several years; however, the last time it was done was over ten years ago. KSP can make security suggestions and provide assessments to the Finance and Administration Cabinet (FAC), but the FAC has the final say whether they are approved or if funding is required. An assessment of the Capitol Building performed recently by the Office of State Fire Marshal indicated that there should not be more than 1,500 visitors inside at any given time. With social distancing guidelines in place due to the COVID-19 pandemic, the maximum number is approximately 800.

In response to a question from Senator McDaniel regarding the timely entry of guests to the Capitol Annex building and the plan to improve for the next General Assembly, Lt. Palmer said there were some delays last year due to the new electronic system, and opening additional entries as well as other methods to scan in visitors in a timely manner helped to alleviate that issue.

In response to a comment from Senator McDaniel regarding the use of pre-printed badges through online registrations, Commissioner Brewer said that option would be considered.

In response to a question from Representative Graviss regarding the response time of KSP to a recent protest incident in which the likeness of the Governor was displayed in a hanging effigy, Commissioner Brewer said he was not satisfied with their response time; however, the incident is being used as a learning experience and will not happen again.

In response to a question from Representative Miller regarding drivers testing in Jefferson County, Commissioner Brewer said that is now active again and they are working with the county clerks to speed up the process by giving first consideration to applicants who had appointments delayed due to the pandemic.

In response to a question from Representative Miles regarding the guidelines for social distancing during peaceful protests versus limited gatherings, Commissioner Brewer said it depends on the group involved, whether masks are being worn and social distancing is being practiced. There is no limit to the number of participants of protests, but there is a limit of 50 for private gatherings. Social distancing and the use of personal protective equipment are firmly encouraged; however, that is not always successful, and there is no formal guidance on the current rules.

Senator Thomas expressed his appreciation for the outstanding professionalism of KSP personnel. In response to a question from Senator Thomas regarding the use of strict crowd control measures in the presence of high-powered weaponry on the Capitol Campus,

Commissioner Brewer said that under the current statute relating to open-carry, there are certain restrictions and safeguards in place.

In response to a question from Chair Mills regarding the schedule for the Capitol Building to be open to the public, Commissioner Brewer said the hours are currently limited due to the pandemic. Lt. Palmer added that the FAC Facilities Security Branch operates the doors and the normal hours are 8:00 AM to 5:00 PM, by appointment only; however, the Capitol is currently closed to the public due to COVID-19.

In response to a question from Chair Mills regarding the order to block the street leading to and from the Capitol Campus, as well as the Campus shutdown on June 25, 2020 for a large protest group, Commissioner Brewer said street closure was based on the size of groups, the possibility of vehicles driving into crowds, provision for access for emergency medical personnel, and other public safety issues. The KSP did not make the call to close the Campus on June 25, 2020. That decision was made by the agencies occupying the Campus, due to the sizeable crowd that was expected.

In response to a question from Chair Mills concerning the possibility of damage to the Campus during large group protests and subsequent law enforcement, Commissioner Brewer said KSP is prepared to enforce the law and arrest violators if necessary.

Capitol Campus Upgrades and Maintenance

Commissioner Ruth provided an overview and update on Capitol Campus upgrades and maintenance.

In response to a question from Chair Mills regarding parking garage repairs and maintenance, Commissioner Ruth said the garage was built in 1975, and improvements are necessary. The final phase of the current improvement project should be complete by August 2020.

In response to a question from Representative Hart regarding the removal of the Jefferson Davis statue, Commissioner Ruth said the deadline to remove the statue resulted in an expedient movement to find a contractor with a specific skillset who could meet the schedule, and it was not related to any campaign contributions that he is aware of.

In response to a question from Representative Pratt regarding the deadline for the removal of the Jefferson Davis statue, Commissioner Ruth said the decision came from the Governor's office.

In response to a question from Senator Thomas regarding the vote by the Commission on Historical Properties to remove the Jefferson Davis statue, Commissioner Ruth said although he was not present at the meeting, the vote was eleven to one in favor of removal,

and the statue was removed over the weekend in order to eliminate disruption of the work week.

Representative Graviss thanked Commissioner Ruth and his staff for the work they perform in and around the Capitol Campus. Commissioner Ruth expressed his appreciation for his staff and their performance of extra duties related to the pandemic.

Representative Hart expressed his concern for the public perception that perhaps the decision to remove the statue was made before the vote was taken.

In response to a question from Chair Mills regarding funding of rehabilitation and modernization of the Governor's mansion, Commissioner Ruth said some of the work had been performed using normal maintenance funds included within the FAC budget, as well as Kentucky Executive Mansions Foundation, Inc. (KEMFI) funds for certain types of improvements.

In response to a question from Chair Mills regarding the functions of the Capitol Education Center (CEC) building, Commissioner Ruth said the original concept was to use it as a place for school tours to congregate when they are visiting the Capitol, and includes interactive educational displays.

Chair Mills echoed the sentiments of Representative Graviss and expressed his gratitude and appreciation for Commissioner Ruth and his staff for all the work they do.

Adjournment

There being no further business before the subcommittee, the meeting was adjourned at 10:22 AM.