

INTERIM JOINT COMMITTEE ON VETERANS, MILITARY AFFAIRS, AND PUBLIC PROTECTION

Minutes of the 2nd Meeting of the 2019 Interim

October 4, 2019

Call to Order and Roll Call

The 2nd meeting of the Interim Joint Committee on Veterans, Military Affairs, and Public Protection was held on Friday, October 4, 2019, at 1:00 PM, in Room 171 of the Capitol Annex. Senator Albert Robinson, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Albert Robinson, Co-Chair; Senators Julian M. Carroll, C.B. Embry Jr., Denise Harper Angel, Ernie Harris, Jimmy Higdon, Dennis Parrett, Brandon Smith, Whitney Westerfield, and Mike Wilson; Representatives Mark Hart, Matthew Koch, C. Ed Massey, Rob Rothenburger, Walker Thomas, Susan Westrom, Buddy Wheatley, and Les Yates.

Guests: Stephen Hogan, Adjutant General, Kentucky National Guard; Senator Whitney Westerfield, Sue Swayze Liebel, State Police Director from Susan B. Anthony List in Washington D.C.

LRC Staff: Jessica Zeh, Jonathan Philpot, Elizabeth Hardy, Jamie Scowcroft

Approval of August Minutes

Senator Harris moved to approve August meeting minutes. Senator Embry seconded the motion. The minutes were approved.

Kentucky National Guard

Adjutant General, Stephen Hogan of the Kentucky National Guard was excited to report that the Kentucky Army National Guard stands at 101 percent strength in Kentucky, while the Kentucky Air National Guard stands at 103 percent. General Hogan discussed their strategic lines of effort. The goal is to obtain qualified, confident, and physically fit soldier and airmen. Preparing each unit in case there is a need for a domestic response and involvement with the community are also strategic efforts they strive to achieve.

The Kentucky Army National Guard has several capabilities including infantry, field artillery, aviation, engineering, military police, chemical, medical, sustainment, transportation, and maintenance. There are plans for future construction of a new Joint

Force Headquarters building in Frankfort, Kentucky. They also hope to modernize several armories in Kentucky.

In response to Representative Rothenburger's question, General Hogan explained the only issue with immediate deployment to fight fires, is certification of the water bucket which can take several hours.

In response to Representative Thomas' question, General Hogan explained that Kentucky is embracing new technology. Drones are being used now and are used locally.

Senator Higdon stated that he is aware of and appreciates the effort to become the most military friendly state in the country. He explained that there are plans for legislation in the upcoming session to help Kentucky become the most military friendly state.

Dignified Disposition of Fetal Remains

Senator Westerfield spoke about an abortion provider in Indiana. The abortion provider had 2,246 fetuses in his home garage. Many women were upset and wondered whether their unborn child was among these. He went on to say that under Kentucky law, unborn children are considered medical waste. The United States Supreme Court upheld an Indiana law which required fetuses of miscarriages and abortions to be buried or cremated and concluded that parents should have a choice on what happens. There are hopes that because of this decision that it will create a pathway for other states to adopt a similar law.

Senator Westerfield introduced Sue Swayze Liebel, who is the state director of the Susan B. Anthony list, vice president of the Indiana Right to Life for 12 years, and who helped draft legislation regarding the disposition of fetal remains. She stated that before Indiana passed this law in 2016, it was important to gain an understanding of the current laws and regulations.

Babies under the age of 20 weeks are considered as medical waste, while babies older than 20 weeks were required to have a death certificate. Their goal with the new legislation was to dispose of fetal remains with dignity regardless of the age. She was also able to get the opinions from the Funeral Home Association and a person who manages a crematorium regarding the disposal of remains. There was a concern that they would have issues with the families of aborted children like many funeral homes do with families who experience miscarriages. However, it was explained that under current Indiana law, only the mother gets to determine what happens to the remains after an abortion, minimizing discord amongst the family.

Another concern they had while drafting this legislation, was that any person could look up death certificates at the county clerk's office. They wanted to protect women's

privacy regarding abortions and miscarriages, so they allowed a burial transit permit to leave the name blank on the death certificate or be redacted in public records.

According to Indiana law, only one body can be cremated at a time. If this were applied to fetal remains, it would take up too much time and likely leave no ashes. To amend this, a waiver was put in that only applies to fetal remains, which allows all remains collected in a single day to be cremated together. A clause stating that pathological and medical waste did not apply to fetal remains and was also included in the legislation.

In closing, she explained that to implement this law, they gave facilities, such as hospitals and abortion clinics, the responsibility to enforce it. However, this law does not interfere with women that have miscarriages at home or have an abortion via a pill. They are responsible for what happens to those remains.

The meeting adjourned at 1:54 PM.