

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

Minutes of the 6th Meeting of the 2022 Interim

November 16, 2022

Call to Order and Roll Call

The 6th meeting of the Interim Joint Committee on Veterans, Military Affairs, and Public Protection was held on Wednesday, November 16, 2022, at 10:00 AM, in Room 154 of the Capitol Annex. Senator Stephen Meredith, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Stephen Meredith, Co-Chair; Representative Walker Thomas, Co-Chair; Senators Alice Forgy Kerr, Mike Wilson, and David Yates; Representatives John Blanton, Kevin D. Bratcher, Jim DuPlessis, Chris Fugate, Al Gentry, Jim Gooch Jr., Mark Hart, Matthew Koch, Scott Lewis, C. Ed Massey, Bobby McCool, Patti Minter, Scott Sharp, Ashley Tackett Laferty, and Bill Wesley.

Guests: Colonel (Ret.) Larry Arnett, Legislative Officer, Joint Executive Council of Veterans Organizations; Lieutenant Colonel (Ret.) Whitney Allen, Commissioner, Kentucky Department of Veterans Affairs (KDVA); Major (Ret.) Dwayne Edwards, Chief of Staff, KDVA; Dr. Silas Session, Executive Director for Veterans Services, KDVA; Kyle Hoylman, Chair, Kentucky Board of Radon Safety; Shannon Baker, Advocacy Director, American Lung Association in Kentucky; Lindi Campbell, Kentucky Patient Advocate; Ryan Underwood, Government Affairs, DC Elevator; Brian Crispin, Service Apprentice and Veteran, DC Elevator; and Ronnie Bentley, Vice President of Service Operations, DC Elevator.

LRC Staff: Jessica Zeh, Mark Mitchell, and Logan Schaaf.

On a motion by Representative Koch, seconded by Representative Sharp, the October 26, 2022, meeting minutes were approved.

Co-Chairs Meredith and Thomas recognized the committee members who are retiring or leaving the legislature after the 2022 Interim, and thanked them for their contributions.

Representatives Tackett Laferty and Blanton spoke about recent tragedies in their districts and asked for the thoughts and prayers of the committee members.

Joint Executive Council of Veterans Organizations

Colonel (Ret.) Larry Arnett, Legislative Officer, Joint Executive Council of Veterans Organizations (JECVO), highlighted some of JECVO's recent work and outlined their legislative priorities for the 2023 Regular Session. Mr. Arnett praised the work of the General Assembly during the 2022 Regular Session in addressing nursing shortages in Kentucky veteran centers and staffing shortages at veteran cemeteries, and providing a strong budget for the Kentucky Department of Veterans Affairs (KDVA). Mr. Arnett said that he would have liked to have seen the reauthorization of tax exemptions for properties owned by veterans service organizations.

Mr. Arnett said that one of JECVO's top priorities is veteran suicide prevention and the expansion of hyperbaric oxygen therapy to treat traumatic injuries suffered by veterans. Another top priority is increasing staff at veteran nursing homes. Finally, Mr. Arnett expressed JECVO's desire to see a ban on "gray machines" in gambling, which pull revenue away from veteran posts.

Representative Blanton expressed support for privatization of some veteran nursing homes, to potentially open the opportunity for another nursing home in Eastern Kentucky.

Responding to a question from Representative Sharp, Mr. Arnett said that the normal cost for hyperbaric oxygen therapy is \$40,000 per person, which includes 40 dives in a chamber, but it depends on the significance of each veteran's injuries.

Responding to a comment from Representative Koch, Mr. Arnett thanked Representative Koch for his work on behalf of veterans service organizations.

Kentucky Department of Veterans Affairs

Lieutenant Colonel (Ret.) Whitney Allen, Commissioner, Kentucky Department of Veterans Affairs (KDVA); Major (Ret.) Dwayne Edwards, Chief of Staff, KDVA; and Dr. Silas Session, Executive Director for Veterans Services, KDVA, provided an overview of KDVA's legislative priorities for the 2023 Regular Session.

Commissioner Allen said that he would like to see the removal of the state residency requirement for veteran cemeteries. He also expressed support for reforming licensing and certification requirements for military spouses exploring careers.

Responding to a question from Co-Chair Meredith, Commissioner Allen said that the removal of cemetery residency requirements should not greatly increase the requests for burial in Kentucky.

Responding to a question from Senator Yates, Commissioner Allen said that other states have already removed their residency requirements for veteran cemeteries.

Responding to a question from Representative Tackett Laferty, Commissioner Allen said that he would like to further discuss potential KDVA support for Disabled American Veterans organizations.

Responding to a question from Representative DuPlessis, Commissioner Allen emphasized the impact of the nationwide shortage of nurses on the occupancy capacity of the veteran nursing homes.

Responding to a question from Senator Wilson, Commissioner Allen said that if the residency requirement for cemeteries is not removed, Kentucky would need to pay the cemetery costs that are normally covered by the federal government.

Responding to a question from Representative Koch, Commissioner Allen clarified the meaning of a paragraph in one of the KDVA handouts.

Radon-Induced Lung Cancer

Kyle Hoylman, Chair, Kentucky Board of Radon Safety; Shannon Baker, Advocacy Director, American Lung Association in Kentucky; and Lindi Campbell, a Kentucky Patient Advocate, delivered a presentation on the dangers of radon and radon-induced lung cancer. Radon is an invisible, naturally occurring, radioactive gas found in homes and buildings across the United States. It is the second leading cause of lung cancer and the leading cause of lung cancer among people who have never smoked.

Mr. Hoylman and Ms. Baker covered the health risks of radon and the ways humans encounter it. They also spoke about the importance of testing homes and offices, and mitigation measures. Ms. Campbell shared the story of her own battle with radon-induced lung cancer. She has never smoked, but after her diagnosis, she had her old bedroom at her parents' house tested for radon and found an extremely high level. Since her diagnosis, she has become a patient advocate and worked to raise awareness of the dangers of radon throughout Kentucky.

Responding to a question from Co-Chair Meredith, Mr. Hoylman estimated that 38.6 percent of all homes in the United States contain radon issues, and that the estimated 21,000 radon-induced lung cancer deaths per year is likely an undercount.

Responding to questions from Representative McCool, Ms. Baker said that a house does not need to have a basement to have radon issues. Mr. Hoylman estimated that there are 400 qualified radon inspectors in Kentucky and surrounding states. He also outlined the process for certification.

Responding to a question from Senator Kerr, Ms. Campbell described how she discovered she had lung cancer and how many of the other patients she has met discovered their lung cancer.

Temporary Elevator Mechanic Licenses

Ryan Underwood, Government Affairs, DC Elevator; Brian Crispin, Service Apprentice and Veteran, DC Elevator; and Ronnie Bentley, Vice President of Service Operations, DC Elevator, detailed their issues in obtaining elevator mechanic licenses for veterans. There is no exact equivalent for elevator training in the United States Armed Services, so veterans often face issues with certification, even if they have years of experience in the military working in a similar area. DC Elevator would like to see the language changed in statute to improve the certification process for veterans.

Responding to a question from Senator Yates, Mr. Crispin emphasized his background working as a helicopter mechanic and his on-the-job training at DC Elevator.

Responding to a question from Representative DuPlessis, the speakers discussed testing during apprenticeships and the steps to becoming a licensed elevator mechanic.

Consideration of Referred Administrative Regulations

The committee took no action on the referred administrative regulations:

106 KAR 002:031 Proposed- National Guard Adoption Benefit Program.

106 KAR 002:021 Proposed- Military Family Assistance Trust Fund.

106 KAR 001:371 Proposed- Rescue aid fund expenditure documentation.

106 KAR 001:341 Proposed- Rescue aid fund allocation.

106 KAR 001:291 Proposed- Specialized rescue squad alternative affiliation agreement process.

106 KAR 001:261 Proposed- Supplementary state fund emergency management training expense reimbursement eligibility list.

106 KAR 001:251 Proposed- Local emergency management personnel Workers' Compensation Enrollment Form.

106 KAR 001:241 Proposed- Local emergency management director appointment process.

106 KAR 001:231 Proposed- Local emergency management agency ordinance requirement.

106 KAR 001:221 Proposed- Local emergency management exercise.

106 KAR 001:211 Proposed- Local emergency management training.

106 KAR 001:201 Proposed- Local emergency management plan.

106 KAR 001:191 Proposed- Emergency management project application reimbursement.

106 KAR 001:181 Proposed- Emergency management project application.

106 KAR 001:171 Proposed- Local emergency management agency program quarterly report.

106 KAR 001:141 Proposed- Emergency management funding.

With no further business before the committee, the meeting was adjourned at 11:45 AM.