

INTERIM JOINT COMMITTEE ON STATE GOVERNMENT

Minutes of the Fifth Meeting of the 2024 Interim

October 22, 2024

Call to Order and Roll Call

The fifth meeting of the Interim Joint Committee on State Government was held on October 22, 2024, at 11:00 AM in Room 149 of the Capitol Annex. Representative David Hale, Chair, called the meeting to order, and the secretary called the roll. The committee offered a prayer for the victims of Hurricane Helene. Representative Hale welcomed the attendance of his grandson Gavin Hale. Senator Wheeler welcomed Chuck Meade, a constituent from his district.

Present were:

Members: Senator Robby Mills, Co-Chair; Representatives Kevin D. Bratcher, Co-Chair; David Hale Co-Chair; Senators Cassie Chambers Armstrong, Michael J. Nemes, Damon Thayer, Phillip Wheeler, and Gex Williams; Representatives Jared Bauman, Adam Bowling, Josh Branscum, Josh Calloway, Adrielle Camuel, Beverly Chester-Burton, Jennifer Decker, Jim Gooch Jr., Derrick Graham, Richard Heath, Samara Heavrin, Keturah Herron, Thomas Huff, Mary Beth Imes, Matthew Koch, Scott Lewis, Matt Lockett, Savannah Maddox, Kimberly Poore Moser, Steve Rawlings, Josie Raymond, Nancy Tate, James Tipton, Wade Williams, and Susan Witten.

Guests: Ryan Barrow and Erin Surratt, Kentucky Public Pensions Authority; Representative Shawn McPherson; Danielle Clore, Kentucky Nonprofit Network; Representative Mark Hart; Cindi Batson, Kentucky for Fluoride Choice; Rich Storm and Jenny Gilbert, Kentucky Department of Fish & Wildlife Resources.

LRC Staff: Daniel Carter, Jesse Farler, Christina Gordley, Hannah Gray, Shannon Tubbs, and Peggy Sciantarelli.

Approval of Minutes - September 24 Meeting

A motion by Representative Imes to approve the minutes of the September 24, 2024, meeting was seconded and passed without objection by voice vote.

Kentucky Department of Fish & Wildlife Resources - Status Report

Rich Storm, Commissioner, Kentucky Department of Fish & Wildlife Resources, and Jenny Gilbert, Legislative Liaison, Kentucky Department of Fish & Wildlife Resources, provided an overview of the department's seven divisions and personnel.

Game wardens comprise approximately 25 percent of the employee base. They enforce all laws of the Commonwealth but primarily focus on boating, fishing, and hunting law enforcement. The canine program has three dogs that are trained in human trailing, article detection, and narcotics detection.

The department operates three conservation camps: Camp John Currie (Benton), Camp Earl Wallace (Monticello), and Camp Robert Webb (Grayson). The Kentucky Fish and Wildlife Foundation grants scholarships to youth in need and funds capital construction projects at each camp.

Frankfort's Salato Wildlife Education Center recently opened a new "Healthy Hunting Grounds" exhibit. Information regarding the department's hunter education program is available at Salato and online. A shooting range is also available to program participants.

The department completed ramp and boating access projects in Hopkins, Anderson, and Madison Counties in 2023—and in Greenup, Hardin, and Bourbon Counties in 2024. Similar projects are scheduled for Harrison, Edmonson, and Rockcastle Counties in 2025.

The State Auditor audits the department annually, and there is a federal audit every five years. All 2023 audits resulted in clean findings.

The department stocks 4.5 million fish statewide from its two hatcheries and is continuously working to increase habitat projects statewide.

In 2024, the department managed 120 dove fields, totaling more than 1,100 acres, for public hunting. Kentucky recorded 204 bald eagle nests during 2024. Since January, prescribed fire has been used on more than 9,588 acres to improve wildlife habitat. The Cumberland Forest Wildlife Management Area comprises 54,000 acres in Bell, Knox, and Leslie Counties. Commissioner Storm thanked the General Assembly for enabling the department to acquire the 54,000-acre easement, which he termed "the conservation project of an age."

In response to a question from Representative Bratcher, Commissioner Storm noted turkey vultures are under federal control.

Representative Koch thanked the department for the new boat ramp that will open soon in Bourbon County.

Representative Calloway spoke about reported chronic wasting disease in a deer herd in Breckinridge County. Commissioner Storm said the issue is complex, and he does not have enough information to predict the outcome. An Association of Fish & Wildlife plan is in place based on best management practices and the department is meeting on the issue.

In response to a question from Representative Tipton, Commissioner Storm said they are gaining ground in Lake Barkley and Kentucky Lake, where invasive carp are not reproducing. The department will be allowing different techniques to remove more from the Ohio River. Commercial fishing is also having a positive impact.

In response to concerns voiced by Representative Maddox, Commissioner Storm described the department's procedures for abatement and disposal of animal carcasses.

Representative Hale expressed appreciation for the hunter education training, the camps, and activities involving youth.

Kentucky Public Pensions Authority - Administrative Regulation 105 KAR 1:411 (Hospital and medical insurance for retired members and Kentucky Retirement Systems Insurance Fund Trust)

Ryan Barrow, Executive Director, Kentucky Public Pensions Authority (KPPA), and Erin Surratt, Executive Director of KPPA's Office of Benefits, explained the proposed amendment to Section 4(1)(b)(3) of 105 KAR 1:411. The proposed revisions are for the purpose of consistency with language used throughout the regulation and other KPPA regulations.

Representative Tipton moved for approval of the proposed amendment. The motion was seconded and passed without objection by voice vote.

24 RS HB 777 - AN ACT relating to government contracts and declaring an emergency.

Testimony was provided by Representative McPherson, sponsor of House Bill 777 from the 2024 Regular Session, and Daniele Clore, Executive Director/CEO of the Kentucky Nonprofit Network.

Representative McPherson discussed his reasons for introducing House Bill 777, which passed the House but was not heard in the Senate. The bill would require promulgation

of administrative regulations to establish policies regarding timely payments under contracts. He spoke of weakness and inefficiency in the current contract process and discussed a failed attempt by constituents in his district to utilize grant funds to restore a depot for the purpose of enhancing tourism.

Ms. Clore said the Kentucky Nonprofit Network is an association of charitable 501c3 nonprofits in Kentucky. Its 1,100 members are in contact with about 7,000 nonprofits. Grant and contracting practices are hurting the ability of nonprofits to effectively serve Kentucky communities. When government grants/contracts do not cover the full cost of services, are not executed before services begin, and do not require timely payment after services are provided, nonprofits cannot hire and retain vital staff. They must take out costly loans in order to make payroll, and they face destabilized operations. Communities are unable to access services that support self-sufficiency, workforce participation, and community safety.

Ms. Clore spoke in support of House Bill 777. She said it creates a framework for efficient government and structural solutions for the state's payment process. It would ensure that nonprofits can deliver services, help employers recruit and retain staff, help nonprofits pay vendors on time, and allow Kentucky to maximize and leverage federal dollars. She stressed that reforms are critical, foundational, and immediately needed—and a national issue. Passage of legislation like House Bill 777 would allow the Commonwealth to serve as a model for needed reforms. The Kentucky Nonprofit Network is in ongoing communication with the Finance and Administration Cabinet to address the issues through regulation but believes that some should be addressed through law.

Representative Hale spoke in support of House Bill 777 and thanked Representative McPherson and Ms. Clore for their testimony.

24 RS HB 141 - AN ACT relating to water fluoridation programs.

Representative Mark Hart and Cindy Batson, a registered nurse representing Kentucky for Fluoride Choice, spoke in support of House Bill 141, legislation introduced by Representative Hart in the 2024 Regular Session. House Bill 141 would make water fluoridation programs optional and allow governing bodies of water systems subject to regulation by the Cabinet for Health and Family Services to decide whether to participate in water fluoridation programs. Representative Hale announced that "pro" and "con" testimonials from persons interested in the issue had been e-mailed to members of the committee earlier in the day.

The committee viewed a video created by Full Measure, a weekly Sunday television news program focusing on investigative, original, and accountability reporting. The video features Kari Ashauer, a Kentucky resident who supports legislation to allow individual water districts to decide whether or not to fluoridate; Dr. Jack Kall, a Louisville dentist who questions the safety of fluoride in water; Dr. Stephen Robertson, Executive Director of the Kentucky Dental Association, who favors fluoridation; and Representative William Lawrence, co-sponsor of HB 141. The video notes that Kentucky is one of 13 states that require water districts to add fluoride.

Representative Hart emphasized that the legislation, which he plans to file again in 2025, does not ban fluoride. It simply removes the unfunded fluoridation mandate. The legislation would permit people who drink the water to decide whether to fluoridate. It would also lessen liability on the part of the state when citizens experience health problems based on water fluoridation.

Representative Rawlings said the referenced court decision was based on statistically significant studies that demonstrated lower IQ levels due to fluoride exposure. He stated the latest science is on the side of allowing people to decide what is in the water they drink—and not subjecting them to forced medication.

Ms. Batson said a recent study by Cochrane found there is insufficient evidence to determine the effect of community water fluoridation on dental caries. There are no eligible studies that reflect caries outcomes in adults, but there is documentation showing that fluoride could be neuro-effective in children.

Representative Herron asked about fiscal impact of the fluoridation issue. Ms. Batson said it would be difficult to quantify the health data, and the cost of fluoridating a community's water supply is paid by local water departments. Representative Hart confirmed that a fiscal note had not been requested on the legislation.

Responding to another question from Representative Herron, Ms. Batson said Cochrane found that, because of confounding variables, there is insufficient evidence to determine the effect of fluoridation on dental caries. Representative Hart said Kentucky has the number one mandated fluoridation program in the country, but the state ranks 49th in good oral health care.

In response to Representative Lockett, Ms. Batson confirmed fluoridation under discussion relates only to ingested fluoride. She said the level of fluoride currently available in Kentucky water supplies is .7 parts per million, which is considered the optimal level. The acceptable level is .6-1.2 parts per million.

Representative Camuel inquired about peer-reviewed research. Ms. Batson said there are over 60-peer reviewed pieces of literature, including a maternal health study by the American Medical Association. The National Toxicology Program produced a monograph stating water fluoridation presents an unreasonable risk to human health for consumption.

Representative Moser asked about the availability of data relating to other states' water systems. Ms. Batson said many states have fluoride added to their water but do not require it at the state level. Kentucky mandates that water systems serving more than 1,500 people must fluoridate their water. Data is also available about fluoridation in other countries. Iran tested it in an area for six months and later decided to halt fluoridation. IQ studies in Chinese systems with high levels of fluoride revealed disparity in the learning potential of children born in those areas.

Representative Hale announced that due to shortness of time, the main purpose of today's meeting was to gain information and not to limit expression of personal views about fluoridation. After the legislation is filed, he intends to allow both pro and con testimony if the bill is referred to the State Government Committee.

Adjournment

Business concluded, and the meeting was adjourned at 12:40 PM.