



COMMONWEALTH OF KENTUCKY
OFFICE OF THE GOVERNOR

Andy Beshear
GOVERNOR

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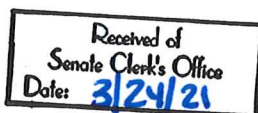
VETO MESSAGE FROM THE
GOVERNOR OF THE COMMONWEALTH OF KENTUCKY
REGARDING SENATE BILL 165 OF THE
2021 REGULAR SESSION

I, Andy Beshear, Governor of the Commonwealth of Kentucky, pursuant to the authority granted under section 88 of the Kentucky Constitution, do hereby veto the following:

Senate Bill 165 of the 2021 Regular Session of the General Assembly in its entirety.

I am vetoing Senate Bill 165 because it takes the ultimate authority to approve a personal service contract, tax incentive agreement, or memorandum of agreement that the Government Contract Review Committee has disapproved away from the Secretary of the Finance and Administration Cabinet and gives that authority to the State Treasurer. The Finance Secretary is the Commonwealth's chief financial officer who must at all times protect the financial interests of the state pursuant to KRS 42.012. Taking ultimate authority over these contracts away from the Secretary thus prevents the Secretary from fulfilling her statutory duties. Accordingly, Senate Bill 165 is inappropriate under Kentucky law.

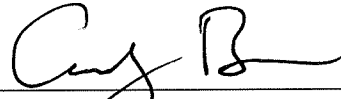
Further, I am vetoing Senate Bill 165 because its passage violated Section 46 of the Kentucky Constitution, which requires every bill to be given three readings in both the House and Senate. Senate Bill 165 originated as "AN ACT relating to publication," and had to do with local government publication/notice procedures. Following its passage in the Senate, however, and after at least one reading in the House, Senate Bill 165 was entirely changed. It became a bill relating to riverport authority fees, auctioneers' fees for the public sale of property, and, as explained above, ultimate authority over certain agreements disapproved by the Government Contract Review Committee. Its title became "AN ACT relating to financial transactions." The new bill with the new title did not receive the requisite three readings in the House and Senate as



*2:16pm
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required by Section 46 and Bevin v. Commonwealth ex rel. Beshear, 563 S.W.3d 74 (Ky. 2018).

This the 24th day of March, 2021.

A handwritten signature in black ink, appearing to read "Andy B", written over a horizontal line.

Andy Beshear
Governor