



COMMONWEALTH OF KENTUCKY
OFFICE OF THE GOVERNOR

Andy Beshear
GOVERNOR

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MAR 24 2023

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Office

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VETO MESSAGE FROM THE
GOVERNOR OF THE COMMONWEALTH OF KENTUCKY
REGARDING HOUSE BILL 519 OF THE 2023 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:

House Bill 519 of the 2023 Regular Session of the General Assembly in its entirety.

In the 2021 Regular Session, the General Assembly unconstitutionally replaced the Kentucky State Fair Board with a new board to provide the Commissioner of Agriculture with a majority of board appointments, removed the Governor's ability to fill vacancies, and self-appointed the Speaker of the House and the President of the Senate as ex-officio members. It gave the State Fair Board unchecked control over its finances and operations as an independent, de jure municipal corporation and political subdivision of the Commonwealth. Immediately thereafter, the State Fair Board established new procurement procedures outside of the Model Procurement Code to guide their spending of millions of dollars of taxpayer money.

The Jefferson Circuit Court found the overhaul of the State Fair Board to be unconstitutional, but stayed the effect of its Judgment on appeal. The appeals of the Commissioner of Agriculture and the Attorney General are pending in the Kentucky Court of Appeals. Thus, as it now stands the unconstitutionally-constructed board continues to operate without any oversight by the Governor.

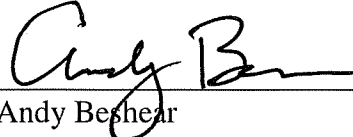
Recent meetings of the Board show terrible results from these moves, with major procurement issues as well as significant revenue problems. In January of this year, the Board reported that its operational expenses for the North American International Livestock Exposition were over budget, and a committee chair suggested a closer look at why the Board financially supports other agencies like the Department of Agriculture during shows like the North American International Livestock Exposition. Additionally, several sponsorships had not been invoiced, and the Board was not receiving its expected revenue from sponsorships, which members of a committee questioned. The Board also noted that approximately 23 checks intended for exhibitors at the Kentucky State Fair were stolen, forged and cashed, and of those, they have recovered only one.

House Bill 519 seeks to appoint the president and the chief executive officer of the Kentucky State Fair Board to the local tourist and convention commission of a consolidated local government in a city of the first class. Because the State Fair Board continues to operate in an unconstitutional manner, it calls into question the contract of its president and chief executive

officer. As a result, the president and chief executive officer of the unconstitutionally-constructed State Fair Board should not serve on a local tourist and convention commission.

For these reasons, I am vetoing House Bill 519.

This, the 24th day of March, 2023.

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

Andy Beshear
Governor