



INTERIM RECORD

A SUMMARY OF INTERIM ACTIVITIES

2023

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Legislative committee issues report on juvenile justice

by Mike Wynn - LRC Public Information

FRANKFORT — The Legislative Oversight and Investigations Committee has approved more than two dozen recommendations to help stabilize Kentucky's troubled juvenile justice system following fires and a riot at two state detention centers last year.

In a report adopted July 14, the committee is calling for more top-down oversight of detention facilities, more training for staff, better monitoring of staff grievances and work hours, and improved tracking of offenders and serious incidents.

Those are just some of the 30 recommendations from a nine-month investigation into Kentucky's regional juvenile detention centers, which function as jails for juvenile offenders. All eight centers operate under the state Department of Juvenile Justice (DJJ).

A copy of the report is available on the Legislative Research Commission's website. A full list of the recommendations appears in the executive summary, and a list of major conclusions begins on page 4 of the document.

The Legislative Oversight and Investigations Committee serves as the main investigative committee for the Kentucky General Assembly. The 16-member panel – comprised of legislators from both the House and Senate – has authority to review the operations of all state agencies, including their programs and funding structure.

In October, committee members directed staff to investigate two fires and an escape that occurred at the Jefferson Regional Juvenile Detention Center in August. The investigation was expanded to include all eight facilities after a riot erupted at the Adair Regional Juvenile Detention Center in November.

The report concludes that various factors contributed to the incidents at



Sen. Danny Carroll, R-Benton, (left) confers with Rep. John Blanton, R-Salyersville, during the Legislative Oversight and Investigations Committee meeting on July 14.

Jefferson Regional. It notes that the building was not designed for secure detention and that a breakdown occurred in supervision and staffing.

The riot at Adair Regional began after a staff member unlocked an

Continued on page 5



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Report on juvenile drugs, from page 1

offender's cell to provide toilet paper, according to the report. However, other factors such as the recent transfer of 13 offenders from Jefferson Regional also played a role.

Across DJJ, investigators also found that detention centers lack fully automated systems to track offenders, report incidents, or to collect and analyze data related to federal accreditation standards.

In addition, the offender booking system is obsolete, and DJJ relies on internal processes for employees to report allegations of neglect and abuse of juveniles in custody, the report concludes. It also identifies mental health services and staffing ratios as two important areas for further review.

Committee members voted 11-0 to adopt the report after hearing testimony from Kerry Harvey, secretary of the Kentucky Justice and Public Safety Cabinet, and DJJ Commissioner Vicki Reed. The justice cabinet oversees DJJ in the state executive branch.

Harvey told lawmakers that the cabinet agreed with most of the committee's recommendations and that areas of disagreement are not fundamental to the conclusions of the report.

"There's been a lot of work involved in that on both sides," he said. "I think we've opened the books. We've been transparent. We've made no effort to hide anything. And it's been a good process because of that, and I think it's a productive report because of the work of your staff and because of the work of mine."

Lawmakers questioned Harvey over some of the details in the investigation, however.

Senate Majority Caucus Chair Julie Raque Adams, R-Louisville, was among several who cited concerns about staffing problems within detention facilities.

"Are we going to just accept the fact that we

have staffing challenges, particularly as they relate to Jefferson, or are we going to have some creative approaches to how we solve those staffing changes," she asked.

Harvey pointed to recent raises that have improved the starting pay of frontline detention workers from around \$30,000 to \$50,000 annually. But he said more work is needed to make sure salaries are competitive within local labor markets, particularly in areas such as Jefferson County.

"I agree with you that we have to use every creative tool we can think of to recruit in colleges, to recruit in high schools, and we are doing that," he said. "I think that there's all sorts of things we can do to try to be creative, but it's always going to come down to a competitive compensation package."

Senate Minority Caucus Chair Reginald Thomas, D-Lexington, agreed that a \$50,000 salary is not as attractive in some areas of the state. He also said juvenile offenders present more risk to detention workers than in the past.

"We were seeing a different type of juvenile now come through the system than we did 20 years ago," he said. "...The kind of juvenile offender that we're seeing coming in now is a more violent offender."

Other legislators raised concerns over training and data management at DJJ.

Rep. Adam Bowling, R-Middlesboro, noted that when juveniles were abruptly transferred to Adair Regional just before the riot, three members of the same gang were placed in a pod together. Bowling, who co-chairs the committee, asked if that same lapse could occur again.

"Would that happen today, or would that be caught," he said.

Continued on page 6

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Report on juvenile drugs, from page 5

Harvey said DJJ staff have been training with experts from adult corrections on strategies for identifying security threats among offenders.

“So we would be better at identifying members of the security threat groups today,” he said. “But can I promise you we could separate them? Absolutely not because there's too many of them, and we have eight facilities. And you have to remember these are small facilities.”

Rep. Matt Lockett, R-Nicholasville, asked if the failure of staff to complete incident reports and intake forms correctly was due to a lack of training or a disregard of protocol.

Harvey attributed the problem to staff and time limitations, but added that it’s “unacceptable because I think these reports are absolutely essential.”

Lockett said that filling out forms correctly is vital in preventing other incidents moving forward.

“That's probably the last thing they want to do when they leave, but it's important in terms of getting that information right, and I would encourage you to emphasize that to them,” he said.

The General Assembly passed two major bills during the 2023 legislative session to overhaul juvenile justice in Kentucky.

House Bill 3 states that juveniles charged with a violent felony offense must be detained for up to 48 hours, beginning July 1, 2024. The bill also seeks to improve parental accountability, expand mental health interventions and enhance options for restorative justice.

Senate Bill 162 requires DJJ to establish adequate contracts to ensure timely access to institutional treatment for children with severe emotional disturbances or mental illnesses. It also mandates access to mental health professionals for children in crisis who are residing in detention facilities.

Combined, the two bills provided more than \$75 million to improve multiple areas within the system, including salaries, automation, security, diversion programs, transportation and operations.



Committee Meetings

Index

A	Administrative Regulation Review Subcommittee, 6
E	Economic Development and Workforce Investment, 8, 15
F	Families and Children, 16
G	Government Contract Review Committee, 9
J	Jail and Corrections Reform Task Force, 14 Judiciary, 17
L	Legislative Oversight & Investigations Committee, 13 Licensing, Occupations, and Administrative Regulations, 20 Local Government Annexation, 18
T	Tourism, Small Business, and Information Technology 22
V	Veterans, Military Affairs, and Public Protection, 23

Administrative Regulation Review Subcommittee Minutes of the June Meeting June 13, 2023

Call to Order and Roll Call

The June meeting of the Administrative Regulation Review Subcommittee was held on Tuesday, June 13, 2023, at 1:00 PM, in Room 149 of the Capitol Annex. Senator Stephen West, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Stephen West, Co-Chair; Senators Julie Raque Adams and Damon Thayer; Representatives Randy Bridges, Deanna Frazier Gordon, and Daniel Grossberg.

Guests: Graham Gray and Farrah Petter, Auditor of Public Accounts; Matt Stephens,

Department for Local Government; Christi LeMay and Karoline Munson, Board of Optometric Examiners; Jeffrey Prather, Board of Nursing; Dave Dreves, Jenny Gilbert, Ben Robinson, and Rich Storm, Department of Fish and Wildlife Resources; Michael Kennedy, Department for Environmental Protection; Amy Barker, Dena Burton, and William Codell, Department of Juvenile Justice; Timothy Arnold, Post-Trial Division; Bruce Roberts, Marc Rudder, and John Wood, Fire Commission; Lilly Coiner, Drew Conners, Jamie Eads, and Jennifer Wolsing, Horse Racing Commission; Kara Daniel and Adam Mather, Office of Inspector General; Laura Begin, Chelsea Harrod, and Veronica Sears, Department for Community Based Services.

LRC Staff: Stacy Auterson, Ange Darnell, Emily Harkenrider, Karen Howard, Carrie Nichols, and Christy Ritchie.

Administrative Regulations Reviewed by this Subcommittee:

GENERAL GOVERNMENT CABINET:
Auditor of Public Accounts: Audits
045 KAR 001:040. Audits of county fee officials. Graham Gray, general counsel, and Farrah Petter, assistant state auditor, represented the auditor.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO paragraph and Sections 1 and 3 through 6 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

GENERAL GOVERNMENT CABINET:
Department for Local Government: County Attorney
109 KAR 017:010. County Attorney Annual Settlement. Matt Stephens, general counsel, represented the department.

A motion was made and seconded to approve the following amendments: to amend Sections 1 and 2 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

BOARDS AND COMMISSIONS:
Board of Optometric Examiners
201 KAR 005:055. Telehealth. Christi LeMay, executive director, and Karoline Munson, board member, represented the board.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO; STATUTORY AUTHORITY; and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Sections 1 through 4 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Board of Nursing

201 KAR 020:478. Dialysis technician scope of practice, discipline, and miscellaneous requirements. Jeffrey Prather, general counsel, represented the board.

A motion was made and seconded to approve the following amendments: to amend the NECESSITY, FUNCTION, AND CONFORMITY paragraph and Sections 1 through 3 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

**TOURISM, ARTS AND HERITAGE CABINET:
Department of Fish and Wildlife Resources: Fish**

301 KAR 001:001. Definitions for 301 KAR Chapter 1. Jenny Gilbert, legislative liaison, and Rich Storm, commissioner, represented the department.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Section 1 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

Game

301 KAR 002:222. Waterfowl hunting requirements on public lands.

A motion was made and seconded to approve the following amendments: to amend Sections 1, 3, and 4 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

**ENERGY AND ENVIRONMENT CABINET: De-
partment for Environmental Protection: Asbestos**

401 KAR 058:040. Requirements for asbestos abatement entities. Michael Kennedy, director, represented the department.

A motion was made and seconded to approve the following amendments: to amend the RELATES TO paragraph and Sections 1 through 8, 10, 11, 13, and 14 to comply with the drafting and formatting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

**JUSTICE AND PUBLIC SAFETY CABINET: De-
partment of Juvenile Justice: Child Welfare**

505 KAR 001:120. Department of Juvenile Justice Policies and Procedures Manual: Health and Safety Services. Amy Barker, assistant general counsel, and William Codell, attorney, represented the department.

In response to questions by Co-Chair West, Ms. Barker stated that these revisions were based on legislative changes and established provisions for nonlethal control of juvenile offenders and for suicide prevention. Initially, these changes were developed in response to recent riots. After the 2023 Regular Session of the General Assembly generated legislative changes, those were added to the amendments.

In response to a question by Representative Bridges, Mr. Codell stated that the department currently had policies to separate male and female juvenile offenders. There were no current provisions for other gender-related categories.

A motion was made and seconded to approve the following amendments: (1) to amend DJJPP 400 to: (a) delete definitions relating to restraints and control methods as those provisions have been replaced by 505 KAR 1:210 & E; and (b) add definitions for “Licensed Behavioral Health Professional” and “line of sight”; (2) to amend DJJPP 405.1 to: (a) add referral for immediate medical evaluation as an option for the initial behavioral health screening; and (b) clarify that residents with acute conditions shall be kept “under continuous observation” until hospitalized or directed otherwise; (3) to amend DJJPP 405.4 to: (a) replace references to “juveniles” with “youth” in conformity with the other policies; and (b) clarify procedures for immediate mental health evaluations, staff responsibilities, and documentation and notification requirements; (4) to delete DJJPP 406 as those provisions have been re-placed by 505 KAR 1:210 & E; and (5) to amend Section 1 and DJJPP 400, 405.1, and 405.4 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

505 KAR 001:140. Department of Juvenile Justice Policies and Procedures Manual: Detention Services. Timothy Arnold, director, Post-trial Division, Department of Public Advocacy, appeared in opposition to this administrative regulation.

In response to questions by Co-Chair West, Mr. Arnold stated that the Department of Public Advocacy (DPA) was opposed to this administrative regulation because it did not provide for a regional system of justice, as statutorily required. Services were usually provided to juveniles based on geographic location, which became a problem if the youth were dispersed statewide. There had been problems with officials being unable to get juveniles to trial due to distance, and some youth had to appear in court virtually. If released, a juvenile might be very far from home. The current policy was nonregional and did not establish any plan for future regionalization. If the institutions did regionalize, the institutions would be in violation of this administrative regulation.

In response to questions by Co-Chair West, Ms. Barker stated that language related to a separate female-only facility was removed. Reorganizing these institutions by region required time for transition. Some regions were insufficiently staffed. The department had to consider the risk level when deciding where to place a juvenile offender. Juvenile offenders were placed based on sex (male or female) and risk level (high or low). Security was the first priority. This administrative regulation represented a phase toward regionalization. Mr. Codell stated that it was necessary for the department to maintain some discretion regarding placing juvenile offenders. Sometimes courts ordered juvenile

offenders to be separated one from another in joint criminal situations. A very assaultive youth needed to be put into a higher security facility. There were seven regions; however, because of a separate facility for females and high and low-security units, there were essentially three regions. Jefferson County was expected to open its facility soon, which would probably represent a region unto itself.

Representative Frazier Gordon stated that transportation costs impacted local government staff and budgets.

In response to a question by Co-Chair West, Mr. Arnold stated that this administrative regulation did not reference regionalization in any way and was not regional in practice. This was a very inefficient system. Mr. Codell stated that the system was currently regional with some deviation necessitated by court decisions and security concerns.

In response to a question by Representative Grossberg, Mr. Codell stated that the department’s long-term goal was to clarify regionalization provisions sometime after the Jefferson County facility opened and after general transitioning.

In response to a question by Senator Raque Adams, Mr. Codell stated that capacity was a concern pertaining to the department’s ability to fully implement regionalization. Staffing in particular was an obstacle because it was difficult to meet staffing ratios in some areas. Staff recruitment and retention was a priority.

Co-Chair West stated that DPA’s concerns seemed to be valid; however, a finding of deficiency did not seem prudent because the department was still in a transition period. The Interim Joint Committee on Judiciary should consider this topic. Representative Grossberg stated agreement with taking this matter up at the Interim Joint Committee on Judiciary and stated that he hoped there would not be procrastination with transitioning to regionalization.

A motion was made and seconded to approve the following amendments: (1) to amend DJJPP 700 to: (a) delete definitions relating to restraints and control methods as those provisions have been replaced by 505 KAR 1:210 & E; and (b) add definitions for “dangerous instrument” and “Licensed Behavioral Health Professional”; (2) to amend DJJPP 700.1 to: (a) delete requirement of having at least one female only facility; and (b) remove references to male youth in the procedures for high and low-security detention facilities; (3) to delete DJJPP 711 as those provisions have been replaced by 505 KAR 1:220 & E; (4) to delete DJJPP 713 as those provisions have been replaced by 505 KAR 1:210 & E; (5) to amend DJJPP 717 to replace the protocol for suicidal youth and isolation with a reference to DJJPP 405.4; and (6) to amend Section 1 and DJJPP 700, 712, and 717 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

COMMUNITY AND TECHNICAL COLLEGE

SYSTEM:

Fire Commission: Commission on Fire Protection Personnel Standards and Education

739 KAR 002:060. Certification and qualifications of fire and emergency services instructors. Bruce Roberts, deputy executive director; Marc Rudder, director of training; and John Wood, general counsel, represented the commission.

A motion was made and seconded to approve the following amendments: to amend the STATUTORY AUTHORITY and NECESSITY, FUNCTION, AND CONFORMITY paragraphs and Section 6 to comply with the drafting requirements of KRS Chapter 13A. Without objection, and with agreement of the agency, the amendments were approved.

PUBLIC PROTECTION CABINET:

Kentucky Horse Racing Commission: Incentive and Development Funds

810 KAR 007:040. Kentucky Standardbred Development Fund and Kentucky Standardbred Breeders' Incentive Fund. Drew Conners, director, and Jennifer Wolsing, general counsel, represented the commission.

In response to a question by Senator Thayer, Mr. Conners stated that, similar to the thoroughbred program, if the initial nomination deadline was missed, this administrative regulation provided another opportunity to be part of this program. Senator Thayer stated that Kentucky's third harness track just opened in Corbin.

In response to a question by Co-Chair West, Mr. Conners stated that this change might increase purses some; however, the impetus was primarily to increase opportunities to participate in this program.

A motion was made and seconded to approve the following amendments: (1) to amend Sections 20, 23, and incorporated material to comply with the drafting requirements of KRS Chapter 13A; and (2) to amend Section 23 to add incorporated material. Without objection, and with agreement of the agency, the amendments were approved.

CABINET FOR HEALTH AND FAMILY SERVICES:

Office of Inspector General: State Health Plan

900 KAR 005:020E. State Health Plan for facilities and services. Kara Daniel, deputy inspector general, and Adam Mather, inspector general, represented the office.

Certificate of Need

900 KAR 006:075E. Certificate of need nonsubstantive review.

Essential Personal Care Visitor Program

900 KAR 014:010E. Essential personal care visitor programs; visitation guidelines.

In response to questions by Co-Chair West, Mr. Mather stated that this amendment expanded the spectrum of facilities to which this administrative regulation applied. Initially, these provisions were promulgated pursuant to the coronavirus

(COVID-19) pan-demic, and now these provisions would also apply to other communicable diseases.

Controlled Substances

902 KAR 055:015E. Schedules of controlled substances.

Department for Community Based Services: Child Welfare

922 KAR 001:100. Public agency adoptions. Laura Begin, regulation coordinator; Chelsea Harrod, social service specialist; and Veronica Sears, branch manager, Adoption Services Branch, represented the department.

922 KAR 001:330. Child protective services.

The following administrative regulations were deferred or removed from the June 13, 2023, subcommittee agenda:

PERSONNEL CABINET: Personnel Cabinet; Classified

101 KAR 002:034. Classified compensation administrative regulations.

101 KAR 002:095. Classified service general requirements.

101 KAR 002:181. Repeal of 101 KAR 002:180. Unclassified

101 KAR 003:045. Compensation plan and pay incentives for unclassified service.

BOARDS AND COMMISSIONS: Board of Licensure for Long-Term Care Administrators

201 KAR 006:060. Fees.

Board of Chiropractic Examiners

201 KAR 021:025. Board; officers, duties, and compensation.

201 KAR 021:041. Licensing; standards, fees.

201 KAR 021:042. Standards, applications and approval of continuing education.

201 KAR 021:075. Peer review committee procedures and fees.

201 KAR 021:095. Licensure, registration, and standards of persons performing peer review.

201 KAR 021:105. Telehealth chiropractic services.

Board of Social Work

201 KAR 023:016. Temporary permission to practice.

JUSTICE AND PUBLIC SAFETY CABINET: Internal Investigation Branch: Special Law Enforcement Officers

500 KAR 002:020. Filing and processing SLEO commissions.

Department of Corrections: Office of the Secretary

501 KAR 006:150. Eastern Kentucky Correctional Complex policies and procedures.

PUBLIC PROTECTION CABINET: Kentucky Horse Racing Commission: Flat and Steeplechase Racing

810 KAR 004:010E. Horses.

Medication Guidelines

810 KAR 008:020. Drug, medication, and substance classification schedule.

CABINET FOR HEALTH AND FAMILY SERVICES: Office of Inspector General: State Health Plan

900 KAR 005:020. State Health Plan for facilities and services.

Certificate of Need

900 KAR 006:075. Certificate of need nonsubstantive review.

Department for Medicaid Services: Medicaid Services

*907 KAR 001:038E. Hearing Program coverage and requirements.

*907 KAR 001:126E. Dental services' coverage provisions and requirements.

*907 KAR 001:632E. Vision program coverage provisions and requirements.

*Pursuant to KRS 13A.030(2)(a), these administrative regulations were found deficient at the May 9, 2023 ARRS meeting.

Payment and Services

907 KAR 003:190. Reimbursement for treatment related to clinical trials.

The subcommittee adjourned at 1:45 p.m. The next meeting of this subcommittee was tentatively scheduled for July 13, 2023, at 1 p.m.

Interim Joint Committee on Economic Development and Workforce Investment Minutes of the 1st Meeting of the 2023 Interim June 22, 2023

Call to Order and Roll Call

The 1st meeting of the Interim Joint Committee on Economic Development and Workforce Investment was held on Thursday, June 22, 2023, at 9:00 AM, in Room 149 of the Capitol Annex. Senator Max Wise, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Max Wise, Co-Chair; Representative Russell Webber, Co-Chair; Senators Gary Boswell, Shelley Funke Frommeyer, Denise Harper Angel, Brandon J. Storm, Reginald Thomas, Phillip Wheeler, and Mike Wilson; Representatives Shane Baker, Jared Bauman, Josh Branscum, Steve Bratcher, Daniel Elliott, Mark Hart, Thomas Huff, Kevin Jackson, Kim King, Nima Kulkarni, Matt Lockett, Phillip Pratt, Rachel Roarx, Ashley Tackett Laferty, and Timmy Truett.

Guests: Kate Shanks, Senior Vice President of Public Affairs, Kentucky Chamber of Commerce and LaKisha Miller, Executive Director, Kentucky Chamber Workforce Center.

LRC Staff: Helen McArthur, Crystal Thompson, Eric Rodenberg, and Sasche Allen.

Business-Driven Solutions to Kentucky's Workforce Challenges

Kate Shanks, Senior Vice President of Public Affairs at the Kentucky Chamber of Commerce and LaKisha Miller, Executive Director of the Kentucky Chamber Workforce Center, gave an overview of programs and strategies being utilized by the Kentucky Chamber and the Chamber's Workforce

Center to combat labor market challenges for employers. Programs discussed included Talent Pipeline Management that aims to address skill gaps by organizing employers around their most critical workforce needs and the Workforce Recovery Program which includes the Fair Chance Academy and the Kentucky Transformational Employment Program. In addition, Ms. Miller also highlighted the Center's Bus to Business Program that engages students through webinars, events, and work-based learning activities.

Answering a question from Senator Wise, Ms. Miller and Ms. Shanks confirmed that the benefits cliff effect is a factor when considering low workforce participation rates.

Replying to Senator Thomas' question regarding increasing the minimum wage, Ms. Shanks stated that the Chamber supports economically sustainable wage growth but is not in favor of wage mandates for employers.

Addressing Senator Funke Frommeyer, Ms. Miller said the number of incarcerated individuals eligible for the Fair Chance Academy varies from month to month, and participants in the program are linked with employment opportunities three months prior to release. Replying to a follow up, she stated the program focuses on all industry sectors including manufacturing, construction, and healthcare.

Responding to questions from Representative Pratt, Ms. Shanks explained the difference between the unemployment rate and the workforce participation rate, pointing out that the unemployment rate includes individuals that are currently seeking employment due to loss of employment, and the workforce participation rate includes individuals no longer seeking employment. These rates are both impacted by populations that have begun to retire from the workforce. Regarding the Fair Chance Academy, legal liability protections have been put in place through legislation passed during the 2020 Regular Session.

Answering questions from Representative Kulkarni, Ms. Miller stated the Fair Chance Academy is utilized by employers of varying sizes and discussed fair chance business practices that are based upon the employers' needs. In response to a follow up question, she explained that Talent Pipeline Management industry sector alignments are based on the employers that have approached the Center to participate in the program. Automation and changes in the economy will change these industry sectors in the future.

Replying to Senator Boswell's comments, Ms. Miller said cannabis use policies vary amongst employers, and most Kentucky employers are paying above the federal minimum wage.

Representative Bratcher made comments about the Center's veteran workforce programs, tax rates, and employers paying above the federal minimum wage.

Addressing Senator Wilson's remarks about workforce participation, Ms. Miller referred to the Chamber's published reports including *Kentucky's*

Strategy for Rapid Workforce Growth and discussed talent attraction approaches. Ms. Shanks mentioned tax code changes as a talent attraction tool.

In response to Representative Jackson, Ms. Shanks discussed how childcare affects workforce participation and the childcare assistance program established by 22 RS HB 499.

Answering questions from Representative Roarx, Ms. Miller gave more details about the Center's Bus to Business Program and discussed diversity across industry sectors, and Ms. Shanks further discussed remote worker incentives for talent attraction.

There being no further business before the committee, the meeting adjourned at 10:36 a.m.

Government Contract Review Committee

Committee Minutes

June 13, 2023

Call to Order and Roll Call

The Government Contract Review Committee met on Tuesday, June 13, 2023, at 9:00 AM, in Room 131 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 Mark Hart, Co-Chair; Senators Gary Boswell, and Donald Douglas; Representatives Bobby McCool, and Michael Sarge Pollock.

Guests: Wesley Phelps, Adam Mather, Mike Tuggle, Shawn Boggs, Micah Hunsucker, Bryan Makinen, Katie Smith, Matt Wingate, Monique Quartermann, Allyson Smith, Dr. Scott Wicker, Kent Chandler, Kim Oatman, Karen Wirth, Regan Satterwhite, Damien Sweeney, and Thomas Woods Tucker.

LRC Staff: Kim Eisner, Jarrod Schmidt, and Kim Smith.

A motion was made by Senator Boswell to approve minutes of the May 2023, meeting of the committee. Representative Hart seconded the motion, which passed without objection.

A motion was made by Representative Hart to consider as reviewed the Personal Service Contract List, with exception of those items selected for further review by members of the committee. Senator Douglas seconded the motion, which passed without objection.

A motion was made by Representative Hart to consider as reviewed the Personal Service Contract Amendment List, with exception of those items selected for further review by members of the committee. Senator Douglas seconded the motion, which passed without objection.

A motion was made by Representative Hart to consider as reviewed the Memoranda of Agreement List, with exception of those items selected for further review by members of the committee.

Senator Douglas seconded the motion, which passed without objection.

A motion was made by Representative Hart to consider as reviewed the Memoranda of Agreement Amendment List, with exception of those items selected for further review by members of the committee. Senator Douglas seconded the motion, which passed without objection.

A motion was made by Representative Hart to consider as reviewed the Kentucky Entertainment Incentive Program Agreements List, with exception of those items selected for further review by members of the committee. Senator Douglas seconded the motion, which passed without objection.

A motion was made by Representative Hart to consider as reviewed the Correction List. Senator Douglas seconded the motion, which passed without objection.

THE FOLLOWING PERSONAL SERVICE CONTRACTS WERE REVIEWED WITHOUT OBJECTION:

AUDITOR OF PUBLIC ACCOUNTS

MCM CPA's & Advisors, LLP, 2300002682; Patrick & Associates, LLC, 2300002890; Kelley Galloway Smith Goolsby, PSC, 2300002891.

BEHAVIORAL HEALTH, DEVELOPMENTAL & INTELLECTUAL DISABILITIES

Martha Gregory & Associates, Inc., 2300001809.

BOARD OF EXAMINERS OF PSYCHOLOGISTS

Geetanjali Gulati, 2300002893.

COUNCIL ON POSTSECONDARY EDUCATION

Blue & Company, LLC, 2300001913.

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Enviroscience, Inc., 2300002189; Ecosystem Planning and Restoration, LLC, 2300002518.

DEPARTMENT FOR INCOME SUPPORT

Michael Jenkins-Guarnieri, 2300002736; Jacob Sherman Meece, 2300002737; Harwell Fitzhugh Smith, 2300002738.

DEPARTMENT OF CRIMINAL JUSTICE TRAINING

Cornerstone Diagnostics, Inc. f/k/a Premiortox 2.0, Inc., 2200002845-1; Powerphone, Inc., 2300002839.

DEPARTMENT OF HIGHWAYS

Thurston Freeman, 2300002867; The Raleigh Company, 2300002869; Bluegrass Valuation Group, LLC, 2300002870; Baumgardner and Associates, PSC, 2300002872; GRW Engineers, Inc., 2300003162; DLZ Kentucky, Inc., 2300003353.

DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION

Code Administrative Association of Kentucky, 2300002636.

EASTERN KENTUCKY UNIVERSITY

BD Biomedical Consulting Services, LLC, 1994-2023; Tetra Tech, Inc., 2018-2023; Cunningham, Barbee and Roben, LLC, 2026-2023;

CAP Financial Partners, LLC d/b/a CAPTRUST Financial Advisors, 2027-2023; Mountain View Veterinary Services, PLLC, 2028-2023; PME Kentucky, LLC, 2041-2023; Dynamix Productions, Inc., 2068-2023; Protocall Services, Inc., 2094-2023; Central Kentucky Interpreter Referral, Inc., 2104-2023.

FACILITIES & SUPPORT SERVICES

EOP Architects PSC, 2300001785; K. Norman Berry Associates, 2300002523; KZF-LJB Joint Venture, LLC, 2300002899; Morris Workshop Architects, PLLC, 2300003108.

HORSE RACING COMMISSION

GLI Capital Group, Inc. (Gaming Laboratories International), 2300003006.

KENTUCKY EMPLOYERS MUTUAL INSURANCE

US-Reports, Inc. d/b/a Afirm, 24-AFM-001; Claim Compensation Bureau, LLC, 24-CCB-001; Pharmacy Investigators & Consultants, LLC, 24-PIC-001; ReEmployAbility, Inc., 24-REA-001; TowerHunter, Inc., 24-THI-001.

KENTUCKY LOTTERY CORPORATION

IGT Global Solutions Corporation f/k/a GTECH Corporation, 24-10-001; IGT Global Solutions Corporation f/k/a GTECH Corporation, 24-15-001; Volta, Inc., 24-18-027; Bulletproof Solutions, Inc., 24-18-032; The Segal Company (Eastern States), Inc. d/b/a Segal, 24-21-001; Gaming Laboratories International, LLC, 24-21-024; BCH Agency, 24-23-011-1.

KENTUCKY STATE POLICE

Powerphone, Inc., 2300002777.

KENTUCKY STATE UNIVERSITY

The Cooper Group, LLC, 23-018.

KY COMMUNITY TECHNICAL COLLEGE SYSTEM

Brewco Marketing Group, 898; Ruffalo Noel Levitz (RNL), 906.

KY HOUSING CORPORATION

Corporation for Supportive Housing, Inc., 2023-6; McBrayer, PLLC, 2024-11; Walther, Gay & Mack, PLC, 2024-12.

KY INFRASTRUCTURE AUTHORITY

Mary Denise Pitts, 2300003097.

LEGISLATIVE RESEARCH COMMISSION

John Rees, 23/24-05.

MOREHEAD STATE UNIVERSITY

Dean Dorton Allen Ford, PLLC, 24-001; Sturgill, Turner, Barker & Moloney, PLLC, 24-002; Sturgill, Turner, Barker & Moloney, PLLC, 24-003; Askmrreeves College Consulting, LLC, 24-007.

MURRAY STATE UNIVERSITY

Sloan Appraisal Realty Services, 011-24; Partners for Insightful Evaluation, Inc., 014-23; Dean Dorton Allen Ford, PLLC, 028-23.

NORTHERN KENTUCKY UNIVERSITY

Dean Dorton, LLC, 2024-137; Arthur J. Gallagher Risk Management Services, LLC, 2024-141.

OFFICE OF THE CONTROLLER

HA Spalding, Inc., 2300002942.

TRANSPORTATION - OFFICE OF THE SECRETARY

Center for Employment Opportunities, Inc., 2300001988.

UNIVERSITY OF KENTUCKY

CMTA, Inc., A231200; Burgess Freeman, K23-213.

UNIVERSITY OF LOUISVILLE

Terracon Consultants, Inc., 23-137; Dr. Paula Bates d/b/a PJB Consulting, 23-138; Ignew, LLC d/b/a Slingshot, 23-139.

WESTERN KENTUCKY UNIVERSITY

Bentz, Whaley, Flessner & Associates, Inc., 232403.

WORKERS' COMPENSATION FUNDING COMMISSION

Blue & Company, LLC, 2300002979.

THE FOLLOWING PERSONAL SERVICE AMENDMENTS WERE REVIEWED WITHOUT OBJECTION:

ADMINISTRATIVE OFFICE OF THE COURTS

Adams Law, PLLC, 2200004374; MCM CPAS & Advisors, LLP, 2200004579; Dinsmore & Shohl, LLP, 2200004595.

BEHAVIORAL HEALTH, DEVELOPMENTAL & INTELLECTUAL DISABILITIES

Multi, 2200000093; Reach of Louisville, Inc., 2200002926; Symphony Diagnostics Services No1, LLC, 2200003897.

BOARD OF MEDICAL LICENSURE

Multi, 2200000053.

DEPARTMENT FOR COMMUNITY BASED SERVICES

United Training Career, LLC, 2200001696; Public Consulting Group, LLC, 2200001764.

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Stantec Consulting Services, Inc., 2300000721.

DEPARTMENT FOR INCOME SUPPORT

Jacqueline Carey Fister, 2200001660; Tadarro Richardson, 2200001678; Debra A. Smith, 2200001681; Alicia Lynn Fedewa, 2200002708.

DEPARTMENT FOR PUBLIC HEALTH

Maximus Human Services, Inc., 2200003862.

DEPARTMENT OF HIGHWAYS

Johnson, Mirmiran & Thompson, Inc., 1200000653-1; Parsons Brinckerhoff, Inc., 1600000993; Strand Associates, Inc., 1800000638; Bluegrass Valuation Group, LLC, 1800001272; Palmer Engineering Company, 1900003312; Integrated Engineering, 1900003440; Strand Associates, Inc., 2000000850; Aecom Technical Services, Inc., 2000001988; QK4, Inc., 2000004282; H W Lochner, Inc., 2100003449; HMB Engineers, Inc., 2100003451; Palmer Engineering Company, 2200000359; HDR Engineering, Inc., 2200001768.

EASTERN KENTUCKY UNIVERSITY

Robert Ehmet Hayes & Associates, PLLC, 1608-2023; KFI Engineers, PC, 1689-2023; ALT32, PSC, 1706-2023; Clotfelter Samokar PSC, 1955-2023.

FACILITIES & SUPPORT SERVICES

Third Rock Consultants, LLC, 1900002766; Architectural Investments, 2000000358; EOP

Architects, PSC, 2100003158; KZF Design, Inc., 2200000755; Patrick D. Murphy Company, Inc., 2200001132; Vertical Structures, Inc., 2200003355; Kerr-Greulich Engineers, Inc., 2300000625; Biagi, Chance, Cummins, London, Titzer, Inc., 2300001530; John A. Newman Consulting Engineers, 2300001532; Paladin, Inc., 2300001751; Patrick D. Murphy Company, Inc., 2300001755; Patrick D. Murphy Company, Inc., 2300001793.

JUSTICE - OFFICE OF THE SECRETARY

Cynthia J. Curtsinger, 2200003337.

KENTUCKY LOTTERY CORPORATION

IGT Global Solutions Corporation f/k/a GTECH Corporation, 23-15-001; Bulletproof Solutions, Inc., 23-18-032.

KENTUCKY PUBLIC PENSIONS AUTHORITY

Stoll Keenon Ogden, PLLC, 2200002498; Frost Brown Todd, LLC, 2200002539; Umberg Zipser, LLP, 2200003377.

KY COMMUNITY TECHNICAL COLLEGE SYSTEM

Dentons, Bingham, Greenebaum, LLP, 883.

LEGISLATIVE RESEARCH COMMISSION

Milliman Solutions, LLC, 2200004608.

MURRAY STATE UNIVERSITY

Rick Walter/Boehl, Stopher & Graves, LLP, 015-18; Greg T. Taylor & Associates, 015-23; Brailsford & Dunlavey, Inc., 018-23; Academic Partnerships, LLC, 019-20; Dinsmore & Shohl, 023-21; Dinsmore & Shohl, 024-22; Dinsmore & Shohl, LLP, 027-22.

OFFICE OF THE CONTROLLER

Maxim Healthcare Services, Inc., 2200000187; Sedgwick Claims Management Services, Inc., 2200003896.

PERSONNEL - OFFICE OF THE SECRETARY

McBrayer, PLLC, 2200002342; Premise Health Employer Solutions, LLC, 2300001181.

TRANSPORTATION - OFFICE OF THE SECRETARY

Baptist Health Medical Group, Inc., 2200002011.

UNIVERSITY OF KENTUCKY

Foster Garvey, 23-043; Omni Architects, A221120; Multi, A231000; Multi, A231010; Multi, A231020; Multi, A231030; Multi, A231040; Multi, A231050; Multi, A231060; Multi, A231070; HDR, Inc., A231160.

UNIVERSITY OF LOUISVILLE

Multi, 23-038; The Segal Company, Inc., 23-057; Bentz, Whaley, Flessner, and Associates, Inc., 23-094.

THE FOLLOWING MEMORANDA OF AGREEMENTS WERE REVIEWED WITHOUT OBJECTION:

ADMINISTRATIVE OFFICE OF THE COURTS

Community Resources for Justice Crime and Justice Institute, 2300003155.

BEHAVIORAL HEALTH, DEVELOPMENTAL & INTELLECTUAL DISABILITIES

Lexington Fayette Urban County Government,

2300001971; Voices of Hope - Lexington, Inc., 2300001989; Kentucky River District Health Department, 2300002441; Volunteers of America Mid-States, Inc., 2300002446; Kentucky Primary Care Association, Inc., 2300002553; Eastern Kentucky CEP, Inc., 2300002590; Western Kentucky Regional Mental Health & Retardation Advisory Board, 2300002888; Pennyroyal Regional Mental Health Mental Retardation Board, 2300002895; Green River Regional MHMR Board, Inc., 2300002898; Seven Counties Services, Inc., 2300002930; Northkey Community Care, 2300002940; Comprehend, Inc., 2300002949; Pathways, Inc., 2300002950; Mountain Comprehensive Care Center, 2300002953; Kentucky River Community Care, Inc., 2300002962; Cumberland River Behavioral Health, Inc., 2300002971; Greater Louisville Behavioral Health Center, 2300003044.

COMMISSION FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS

University of Kentucky Research Foundation, 2300002655.

COUNCIL ON POSTSECONDARY EDUCATION

Ft. Thomas Independent School District, 2300001918.

DEPARTMENT FOR COMMUNITY BASED SERVICES

Louisville Jefferson County Metro Government, 2300001843.

DEPARTMENT FOR LIBRARIES & ARCHIVES

Clark County Public Library, 2300002722; Pulaski County Public Library, 2300002729; Washington County Public Library, 2300002771; Wayne County Public Library, 2300002773.

DEPARTMENT FOR LOCAL GOVERNMENT

McLean County Fiscal Court, 2300001844; McLean County Fiscal Court, 2300001846; Henderson County Fiscal Court, 2300002011; City of Richmond, 2300002019; City of Paducah, 2300002193; Laurel County Treasurer, 2300002538; Muhlenberg County Fiscal Court, 2300002540; Pulaski County Treasurer, 2300002630; City of Lancaster, 2300002706; Harlan County Fiscal Court, 2300002712; Adair County, 2300002713; Princeton-Caldwell County Industrial Development Authority, 2300002790; Marshall County Industrial Development Authority, 2300002794; Pike County Fiscal Court, 2300002806; Franklin County Fiscal Court, 2300002814; Harlan County Fiscal Court, 2300002830; Johnson County Fiscal Court, 2300002835; Bell County, 2300002836; Barren County Fiscal Court, 2300002843; Franklin-Simpson Industrial, 2300002859; Perry County Fiscal Court, 2300002884; Columbia-Adair County Economic Development Authority, Inc., 2300002889; Perry County Fiscal Court, 2300002967; McLean County Fiscal Court, 2300002992; McCracken County Fiscal Court, 2300003093; City of Edgewood, 2300003103; City of Hodgenville, 2300003230.

DEPARTMENT FOR MEDICAID SERVICES
University of Kentucky Research Foundation, 2300002524.

DEPARTMENT FOR PUBLIC HEALTH
Kentucky Board of Emergency Medical Services, 2200002661-1; American Childhood Cancer Organization, 2300001803; University of Louisville Research Foundation, 2300001823; University of Louisville Research Foundation, 2300001839; Revive Ministries, Inc., 2300001850; Shaping Our Appalachian Region, Inc., 2300001892; The Well of Lexington, 2300001969; Park Duvalle Neighborhood Health Center, 2300002197; Kentucky Mountain Health Alliance, Inc., 2300002198; Rockcastle Hospital and Respiratory Care Center, Inc., 2300002199; Mercy Health - Marcum & Wallace Hospital, LLC, 2300002637; St. Elizabeth Medical Center, 2300002638.

DEPARTMENT FOR WORKFORCE INVESTMENT

The AOPA Foundation, Inc., 2300002887.

DEPARTMENT OF AGRICULTURE
Multi, 2300000118; Feeding Kentucky, Inc., 2300002639; Dare To Care, Inc., 2300002709; Gods Pantry Food Bank, Inc., 2300002710; Gods Pantry Food Bank, Inc., 2300002881.

DEPARTMENT OF EDUCATION
Rowan County Board of Education, 2300000517; Paducah Independent School District, 2300000558; Oldham County Board of Education, 2300002061; Fayette County Board of Education, 2300002614; Greenup County Board of Education, 2300002662; Marion County Board of Education, 2300002664; Paducah Independent School District, 2300002669; Warren County Board of Education, 2300002679; Green County Board of Education, 2300002690; Jobs for Kentucky's Graduates, 2300002692; Kentucky Educational Development Corporation, 2300002826; Bardstown Independent School District, 2300002878; Madison County Board of Education, 2300002903; Nelson County Board of Education, 2300002904; National Center for Families Learning, 2300002959; St. George's Scholar Institute, 2300002963; Kentucky Non-Public Schools Commission, Inc., 2300003002; Spencer County Board of Education, 2300003029.

DEPARTMENT OF JUVENILE JUSTICE
Young Mens Christian Association of Greater Louisville, Inc., 2300001862; Ramey Estep Homes, Inc., 2300002008.

DEPARTMENT OF MILITARY AFFAIRS
Oldham County Fiscal Court, 2300002568; Oldham County Fiscal Court, 2300002687; Oldham County Fiscal Court, 2300002711; Oldham County Fiscal Court, 2300002716; Eminence Independent Board of Education, 2300002832.

DEPARTMENT OF REVENUE
Multistate Tax Commission, 2300002059.
ECON DEV - OFFICE OF THE SECRETARY
Kentucky Science and Technology Corporation, 2300003005.

EDUCATION AND LABOR CABINET
Multi, 2300000066; University of Kentucky Research Foundation, 2300002733.

JUSTICE - OFFICE OF THE SECRETARY
Communicare, Inc., 2300002084; Seven Counties Services, Inc., 2300002099; Pathways, Inc., 2300002424; Kentucky Chamber Foundation, Inc., 2300002779; Volunteers of America Mid-States, Inc., 2300002783; Volunteers of America Mid-States, Inc., 2300002834; Eastern Kentucky CEP, Inc., 2300002856; Kentucky Pharmacy Education and Research Foundation, Inc., 2300002864.

KY HOUSING CORPORATION
University of Kentucky Research Foundation,

1.
KY INFRASTRUCTURE AUTHORITY
Bluegrass Area Development District, 2300002743; Barren River Area Development District, 2300002744; Cumberland Valley Area Development District, 2300002747; Green River Area Development District, 2300002750; Kentuckiana Regional Planning & Development Agency, 2300002752; Kentucky River Area Development District, 2300002753; Lake Cumberland Area Development District, Inc., 2300002754; Lincoln Trail Area Development District, 2300002755; Northern Kentucky Area Development District, 2300002756; Pennyryle Area Development, 2300002757; Purchase Area Development District, Inc., 2300002758.

MEDICAID SERVICES BENEFITS
University of Kentucky Research Foundation, 2300002470.

OFFICE OF KY NATURE PRESERVES
University of Kentucky Research Foundation, 2300001531.

TRANSPORTATION - OFFICE OF THE SECRETARY

Jefferson Community and Technical College, 2300002844; Federal Highway Administration, National Highway Institute, 2300003009; Center for Employment Opportunities, Inc., 2300003010.

THE FOLLOWING MEMORANDA OF AGREEMENT AMENDMENTS WERE REVIEWED WITHOUT OBJECTION:

ADMINISTRATIVE OFFICE OF THE COURTS

Comprehend, Inc., 2200004821; Lifeskills, Inc., 2200004827; Lifeskills, Inc., 2200004827; Western Kentucky University, 2300002735.

BEHAVIORAL HEALTH, DEVELOPMENTAL & INTELLECTUAL DISABILITIES

Multi, 2200000046; Pennyroyal Regional Mental Health Mental Retardation Board, 2200001499; Oxford House, Inc., 2200001629; Kentucky Association of Sexual Assault Programs, 2200001771; Louisville Jefferson County Metro Government, 2200002008; Mountain Comprehensive Care Center, 2200002311; Seven Counties Services, Inc., 2200002452; St. Elizabeth Medical Center, 2200002533; University of Kentucky Research Foundation, 2200002665; Metro Louisville Harm Reduction Task Force, 2200002710; Memorial Hospital, Inc., 2200002712; Kentucky Pharmacy Education and Research Foundation, Inc., 2200002716; Shatterproof A

Nonprofit Corporation, 2200002731; Volunteers of America Mid-States, Inc., 2200002824; Appalachian Regional Healthcare, Inc., 2200002877; University of Kentucky Research Foundation, 2200002891; Pathways, Inc., 2200002915; Kentucky River Community Care, Inc., 2200002918; Western Kentucky Regional Mental Health & Retardation Advisory Board, 2200002971; Lifeskills, Inc., 2200003216; Seven Counties Services, Inc., 2200003304; New Vista of the Bluegrass, Inc., 2200003491; Community Action Kentucky, Inc., 2300000327; Crisis Text Line, Inc., 2300000634; Drug Free America Foundation, Inc., 2300000707.

CHFS - DEPARTMENT FOR AGING AND INDEPENDENT LIVING

Multi, 2200000066; Center for Accessible Living, Inc., 2200004326.

DEPARTMENT FOR COMMUNITY BASED SERVICES

University of Kentucky Research Foundation, 2200001790; Kentucky Association of Sexual Assault Programs, 2200002195; Community Action of Southern Kentucky, Inc., 2200002456; Consortium for Children, 2200002577; Kentucky Youth Advocates, Inc., 2200003087; Louisville Jefferson County Metro Government, 2200004282.

DEPARTMENT FOR ENVIRONMENTAL PROTECTION

Trigg County Board of Education, 2200004603; Owensboro Independent School District, 2200004813.

DEPARTMENT FOR INCOME SUPPORT

Treasurer State of Mississippi, 2200002656.

DEPARTMENT FOR LOCAL GOVERNMENT

Johnson County Fiscal Court, 2200002909; Clark County Fiscal Court, 2200004689; Ohio County Fiscal Court, 2300000711; Menifee County Fiscal Court, 2300002191.

DEPARTMENT FOR MEDICAID SERVICES

University of Kentucky Research Foundation, 2200003694.

DEPARTMENT FOR NATURAL RESOURCES

University of Kentucky Research Foundation, 2100001130.

DEPARTMENT FOR PUBLIC HEALTH

Aids Volunteers, Inc., 2200002001; University of Kentucky Research Foundation, 2200002147; Matthew 25 Aids Services, Inc., 2200002618; Livewell Community Health Services, Inc., 2200002619; Kentucky Hospital Research & Education Foundation, Inc., 2200002624; Kentucky Community and Technical College System, 2200002661; Homeless and Housing Coalition of Kentucky, 2200002881; Volunteers of America Mid-States, Inc., 2200002882; University of Kentucky Research Foundation, 2200003217; Foundation for A Healthy Kentucky, 2200003515; University of Kentucky, 2200003635; Shaping Our Appalachian Region, Inc., 2200003637; University of Kentucky Research Foundation, 2200003692; St. Joseph Catholic Orphan Society, 2200003711; University of Kentucky Research Foundation, 2200003772;

Healthfirst Bluegrass, Inc., 2200003784; University of Kentucky Research Foundation, 2200003817; Norton Healthcare Foundation, 2200004211; Youth Golfers Outreach Program, Inc., 2300000008; Livewell Community Health Services, Inc., 2300000279; Matthew 25 Aids Serv, Inc., 2300000541; Project Ricochet, 2300000627; Nelson County Community Clinic, Inc., 2300001032; Kentucky Rural Health Associates, 2300001141.

DEPARTMENT OF CRIMINAL JUSTICE TRAINING

University of Louisville, 2200001720.

DEPARTMENT OF EDUCATION

Kentucky School Board Association Educational Foundation, Inc., 2200003297; University of Louisville Research Foundation, 2200003652; National Board for Professional Teaching Standards, 2200003931; Southeast/Southcentral Educational Cooperative, 2200004457; Ohio Valley Educational Cooperative, 2200004462; West Kentucky Educational Cooperative, 2200004465; Indiana University, 2200004620; Central Kentucky Educational Cooperative, 2200004688; Kentucky Educational Development Corporation, 2300000051; Williamstown Board of Education, 2300000439; Todd County Board of Education, 2300000484; Pulaski County Board of Education, 2300000544; Perry County Board of Education, 2300000550; Owensboro Independent School District, 2300000569; Monroe County Board of Education, 2300000595; Jefferson County Board of Education, 2300001558; Ohio Valley Educational Cooperative, 2300002917; Ohio Valley Educational Cooperative, 2300002921.

DEPARTMENT OF VETERANS AFFAIRS

Kentucky National Guard Memorial Fund, Inc., 2200004047.

EDUCATION - OFFICE OF THE SECRETARY

University of Kentucky Research Foundation, 2200003960.

FINANCE - OFFICE OF THE SECRETARY

Multi, 2200000084.

KENTUCKY HERITAGE COUNCIL

American Battlefield Trust, 2200004759.

KY PUBLIC SERVICE COMMISSION

Attorney General, 2200001800.

OFFICE OF ENERGY POLICY

University of Kentucky Research Foundation, 2300002136.

TRANSPORTATION - OFFICE OF THE SECRETARY

Eastern Kentucky University, 2200002092; Treelouisville, Inc., 2200002135; Western Kentucky University, 2200002747.

THE FOLLOWING KENTUCKY ENTERTAINMENT INCENTIVE PROGRAM AGREEMENTS WERE REVIEWED WITHOUT OBJECTION:

ECON DEV - OFFICE OF THE SECRETARY

Pan Touring, LLC, 2300003196; Against Sunrise, 2300003199; Annie On Tour, LLC, 2300003202; Cellar Productions, LLC, 2300003203.

THE FOLLOWING PERSONAL SERVICE

CONTRACTS WERE SELECTED FOR FURTHER REVIEW:

DEPARTMENT FOR INCOME SUPPORT

Healing Pathway Counseling, LLC, 2200002708-1. Wesley Phelps discussed the contract with the committee. A motion was made by Representative Hart to consider the contract as reviewed. Senator Boswell seconded the motion, which passed.

DEPARTMENT FOR PUBLIC HEALTH

Multi, 2300000073. Adam Mather and Mike Tuggle discussed the contract with the committee. A motion was made by Senator Boswell to consider the contract as reviewed. Representative Hart seconded the motion, which passed.

DEPARTMENT OF INSURANCE

Tracy Bertram, 2300002986. Shawn Boggs discussed the contract with the committee. A motion was made by Representative Pollock to consider the contract as reviewed. Senator Boswell seconded the motion, which passed.

EASTERN KENTUCKY UNIVERSITY

Multi, 2045-2023; Multi, 2046-2023; Multi, 2048-2023; Multi, 2049-2023; Multi, 2050-2023. Micah Hunsucker and Bryan Makinen discussed the contracts with the committee. A motion was made by Senator Boswell to consider the contracts as reviewed. Representative Pollock seconded the motion, which passed.

ECON DEV - OFFICE OF THE SECRETARY

Sprocket, Inc., 2300002855; Central Region Innovation and Commercialization Center, Inc., 2300002915; Shaping Our Appalachian Region, Inc., 2300002935; Amplify Louisville, Inc., 2300002961; Awesome Center for Entrepreneurship, Inc., 2300002995; Blue North Kentucky, Inc., 2300003023. Katie Smith, Matt Wingate, and Monique Quarterman discussed the contracts with the committee. A motion was made by Representative Hart to consider the contracts as reviewed. Senator Douglas seconded the motion, which passed.

KENTUCKY EMPLOYERS MUTUAL INSURANCE

Medcor, Inc., 24-MDC-001. Allyson Smith discussed the contract with the committee. A motion was made by Senator Boswell to consider the contract as reviewed. Senator Douglas seconded the motion, which passed.

KENTUCKY STATE UNIVERSITY

Gallagher Benefit Services, Inc., 23-021. Dr. Scott Wicker discussed the contract with the committee. A motion was made by Senator Boswell to consider the contract as reviewed. Representative Pollock seconded the motion, which passed.

KY PUBLIC SERVICE COMMISSION

Strategen Consulting, Inc., 2200001505-1; Strategen Consulting, Inc., 2200001899-1; Strategen Consulting, Inc., 2300002857. Kent Chandler discussed the contracts with the committee. A motion was made by Representative Pollock to consider the contracts as reviewed. Senator Boswell seconded the motion, which passed with Senator Meredith voting no and Senator Douglas voting to

pass.

MOREHEAD STATE UNIVERSITY

Multi, 24-008; Multi, 24-009. Kim Oatman discussed the contracts with the committee. A motion was made by Senator Boswell to consider the contracts as reviewed. Senator Douglas seconded the motion, which passed.

THE FOLLOWING MEMORANDA OF AGREEMENTS WERE SELECTED FOR FURTHER REVIEW:

DEPARTMENT OF EDUCATION

University of Louisville Research Foundation, 2300002500; Ohio Valley Educational Cooperative, 2300002502; Barren County Board of Education, 2300002510. Karen Wirth and Regan Satterwhite discussed the contracts with the committee. A motion was made by Senator Boswell to consider the contracts as reviewed. Representative Hart seconded the motion, which passed.

THE FOLLOWING MEMORANDA OF AGREEMENTS FOR \$50K AND UNDER WERE SELECTED FOR FURTHER REVIEW:

DEPARTMENT OF EDUCATION

Clark County Board of Education, 2300002854; Dayton Independent School District, 2300002861; Garrard County Board of Education, 2300002865; Henderson County Board of Education, 2300002866; Johnson County Board of Education, 2300002871; Letcher County Board of Education, 2300002873; Taylor County Board of Education, 2300002874; Spencer County Board of Education, 2300002876. Karen Wirth, Damien Sweeney, and Thomas Woods Tucker discussed the contracts with the committee. A motion was made by Representative Hart to consider the contracts as reviewed. Senator Boswell seconded the motion, which passed with Senator Douglas voting no.

EXEMPTION REQUESTS:

ENERGY AND ENVIRONMENT CABINET:

The Division of Water requested an exemption from Committee Policy Statement #99-4 which prohibits contracts and agreements from extending beyond the current biennium for the FFY 2023 Kentucky Stormwater Training Program. A motion was made by Representative Hart to grant the request to December 31, 2027. Senator Boswell seconded the motion, which passed without objection.

KENTUCKY DEPARTMENT OF AGRICULTURE:

The Kentucky Department of Agriculture requested an exemption from Committee Policy Statement #99-4 which prohibits contracts and agreements from extending beyond the current biennium to execute agreements to include Dare to Care Food Bank, God's Pantry Food Bank, Tri-State Food Bank, Feeding America KY's Heartland, Northern KY Area Development District, and Purchase Area Development District and is part of The Emergency Food Assistance Program (TEFAP) Reach and Resiliency Round 2 Grant Funds. A motion was made by Representative Hart to grant the request to June 30, 2025. Senator Boswell seconded the motion, which passed without

objection.

ENERGY AND ENVIRONMENT CABINET:

The Division of Forestry requested an exemption from Committee Policy Statement #99-4 which prohibits contracts and agreements from extending beyond the current biennium for the Development of a Kentucky Invasive Plant Strike Team Grant, which is part of the Consolidated Program Grant. A motion was made by Representative Hart to grant the request to June 30, 2028. Senator Boswell seconded the motion, which passed without objection.

ENERGY AND ENVIRONMENT CABINET:

The Division of Conservation requested an exemption from Committee Policy Statement #99-4 which prohibits contracts and agreements from extending beyond the current biennium for the Watershed Dam Infrastructure Revolving Fund. The fund was established through the 2022 Regular Session HB 1 with 100 percent General Fund appropriation of \$5,000,000 in fiscal year 2022-2023 for the Soil and Water Conservation Commission (KRS 146.110). A motion was made by Representative Hart to grant the request to June 30, 2028. Senator Boswell seconded the motion, which passed without objection.

There being no further business, the meeting adjourned at 10:45 AM.

Legislative Oversight & Investigations Committee Minutes of the 1st Meeting of the 2023 Interim June 15, 2023

Call to Order and Roll Call

The 1st meeting of the Legislative Oversight & Investigations Committee for the 2023 Interim was held on Thursday, June 15, at 1:00 PM, in Room 131 of the Capitol Annex. Senator Brandon J. Storm, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Brandon J. Storm, Co-Chair; Representative Adam Bowling, Co-Chair; Senators Julie Raque Adams, Danny Carroll, Donald Douglas, Gerald A. Neal, Michael J. Nemes, and Reginald Thomas; Representatives John Blanton, Lindsey Burke, Ken Fleming, Matt Lockett, Steve Riley, Scott Sharp, and Pamela Stevenson.

Guests: Kerry Harvey, Secretary, Justice and Public Safety Cabinet; Vicki Reed, Commissioner, Justice and Public Safety Cabinet, and Rebecca Norton, Executive Director, Office of Financial Management Services.

LRC Staff: Gerald W. Hoppmann, Committee Staff Administrator; Committee Analysts William Spears, Jacob Blevins, Joel Thomas, Jeremy Skinner, Shane Stevens, Ryan Brown, Taylor Johnston, McKenzie Ballard; Preiss Terry, Graduate Fellow; and Ashley Taylor, Committee Assistant.

Minutes for November 11, 2022

Upon motion by Senator Douglas and second by Representative Lockett, the minutes for the November 11, 2022, meeting were approved without objection.

Co-Chair Storm and Co-Chair Bowling acknowledged new committee membership as well as the committee's new graduate fellow. Co-Chair Bowling noted that committee staff sent 12 finding sheets with recommendations to the Justice and Public Safety Cabinet and the Department of Juvenile Justice for feedback. The deadline for returning the finding sheets is June 16, 2023; therefore, information will be presented during the July 14, 2023 committee meeting.

Update from The Kentucky Department of Juvenile Justice

Secretary Kerry Harvey, Justice and Public Safety Cabinet (cabinet), Vicki Reed, Commissioner of the Department of Juvenile Justice (DJJ), and Rebecca Norton, executive director, Office of Financial Management Services, introduced themselves.

Secretary Harvey began by providing an overview regarding where DJJ has been and the steps they have taken over the last year for improvement. He also noted where DJJ is with some of the new legislation that passed during the 2023 Regular Session. He noted that a tremendous amount of work had been conducted since January 2023 and acknowledged the enormous amount of work conducted by Legislative Oversight and Investigations Committee (LOIC) staff. He reported that the investigation conducted by LOIC staff has been comprehensive and always professional. The cabinet's representatives then presented the update, which provided background on DJJ's operations; changes in areas like staffing, defensive equipment, and training; mental health challenges; and recent legislation. DJJ's full presentation is available on the LOIC webpage.

Representative Blanton questioned if the initial location-based incentive pay differences to recruit adequate staffing had been resolved. Secretary Harvey reported the salary for staff with a correctional officer's classification have been resolved and all salaries within that classification are the same.

In response to Representative Fleming's question regarding geographical distribution of staff that have been hired, Secretary Harvey explained staff are not evenly distributed. He offered to provide the geographical distribution of the 37 newly filled detention positions by regional juvenile detention center. He also shared that staffing has improved in all facilities and they are seeing an increased interest. Campbell County and Jefferson County are the toughest markets in which to hire due to labor competition.

Representative Bowling noted that DJJ had provided information on staffing beginning on January 1, 2023, but asked if information could be provided from December of 2021. Secretary Harvey agreed to provide geographical distribution of all detention positions from December 2021 (by

month). Representative Bowling asked if DJJ would get to 100 percent staffing by the end of the year, to meet the amount for which the general assembly allotted funds. Secretary Harvey said he doubted they would get to 100 percent. They will in many areas, but certain areas like Campbell and Jefferson will always be tough.

In response to a question from Senator Raque Adams regarding staffing and capacity issues, Secretary Harvey discussed the Jefferson Regional Juvenile Detention Center (JRJDC) at Lyndon. The Lyndon facility has 30 beds but was not built to be a detention facility, therefore it has caused significant problems. Currently, it is only licensed to keep 10 kids at a time. Capacity will increase as improvements are made.

In response to Representative Blanton's question, Secretary Harvey stated there is discussion between Department of Corrections (DOC) and DJJ related to the sharing of intelligence information regarding security threat groups. There is also opportunity to establish relationships with local law enforcement. Representative Blanton explained that it could be an asset to DJJ, DOC, and law enforcement if an agreement existed between the agencies to share intelligence information, especially related to security threat groups.

In response to Representative Sharp's question regarding how the special needs population is handled, Commissioner Reed explained special needs children are flagged. They contact the school system and also have counselors notify mental health staff. Commissioner Reed stated she is not certain that a child with Down Syndrome needs to be in detention and that DJJ typically tries to move them to a more appropriate location as soon as possible.

Representative Blanton questioned why autistic or Down Syndrome children are pushed to detention facilities, outside of instances where parents are unable to control the children. Commissioner Reed stated they have no control over who is brought to the facilities. If a court order exists, no matter how much staff may question the appropriateness of detention, DJJ has to accept them. She explained that handing this population is a reason why the detention alternative staff stay busy and why additional staff are needed. They work hard to get these kids out of the detention facilities and into more appropriate places and services. Commissioner Reed stated DJJ has expanded a state-wide youth advocacy program, which provides intensive wrap-around care, where a mentor is assigned to the child and family. She provided the example of a child stealing because he is hungry. Mental health treatment may not be what is needed, as opposed to someone helping the family to sign-up for food benefits.

In response to a question from Representative Fleming regarding the RFP (request for proposal) process for severe mental health youth, Commissioner Reed stated the hospitals and other facilities are private and they are not required to accept mentally ill youth. Often these kids are very

violent, act out sexually, and are generally difficult to manage. Some private facilities are also experiencing staffing issues, where beds exist without appropriate staffing. Secretary Harvey commented that kids are sometimes placed in a detention setting, because other options do not exist. He provided an example of a child that suffered from severe mental health issues. They reached out to nine different placements in treatment facilities and none of those would take a particular child. He believes that one way to assist in solving issues within DJJ is to have these types of kids placed appropriately.

Ms. Norton explained the RFP process and discussed the specifics of its current procurement regarding services for involuntary commitment. The RFP is developed by DJJ and includes what they are looking for, such as "institutional mental health treatment for youth". It also identifies specific services that DJJ is wishing to procure so vendors can respond with proposed rates. Ideally the department would like to receive more than one response so they can compare cost, service, and location. In response to Representative Fleming's question, Ms. Norton stated that the RFPs typically outline how responses will be scored. In this specific procurement, however, no proposals or responses were received.

In response to Representative Fleming's question, Secretary Harvey stated that DJJ continues to work with the Cabinet for Health and Family Services to find a provider to take youths who are severely mentally ill, violent, and aggressive.

In response to a question from Senator Douglas, Commissioner Reed stated that 60 to 80 percent of youth detained at juvenile detention centers nationally are there due to mental health issues. She explained there is a nationally recognized screening tool called MAYSI (Massachusetts Youth Screening Instrument) that is used for every youth that enters into the detention center. This is broken down into categories of functions that can help determine and flag which kids may be suicidal, depressed, or dual diagnosed.

In response to a question from Representative Sharp, Commissioner Reed explained the population of kids with autism or Down Syndrome in the juvenile detention centers is typically two to three in the system at one same time. She said those populations are smaller although more recently the department has seen an increase in kids coming in with autism. The commissioner stated she will provide the population of special needs youth in detention centers by count and percentage.

In response to Representative Burke's question, Commissioner Reed agreed that if funding was prioritized for community-based waivers to address young people who have medical issues, but need support at home from paid caregivers, as well as prioritization of funding for those in foster care, that could help with some of the problems at DJJ.

In response to Representative Blanton's question regarding the Administrative Office of the Court's estimation of an increase of 400 new juveniles per year, Secretary Harvey said this will

affect regions differently. Some facilities can expand while some facilities cannot. He agreed that there will be more in Fayette and Jefferson than any of the other detention centers.

In response to Representative Fleming's question about the Lyndon facility, Ms. Norton stated she hopes to have a design consultant contract in place by July 1, 2023. In the RFP it was indicated the department was looking for a timely assessment as well as cost estimates. She stated they would like to have full estimates from the architectural consulting firm by mid-September so that this information can be included in the biennial budget request. Ms. Norton did not have an initial estimate of the budget request but would note that the renovation of the Lyndon facility is estimated at \$4.5 million and that is only to update the current cells to wet cells.

In response to Representative Fleming's question, Commissioner Reed explained research shows that kids are treated best outside of the juvenile justice system. When studies have been done on the number one factor that led kids to be involved later with the adult system, it was going to a detention center. There are other systems at the school level that have helped such as day treatment centers, which are treatment facilities with an educational component, and alternative schools, which are schools with a counseling component.

Senator Douglas expressed concern that the committee should not have to meet in order to put more money into a system that is growing in the opposite direction from what is desired. This means the legislature and social services have to be more active in treating the problem up stream.

In response to a question from Senator Thomas regarding competitive salary increases in parts of Kentucky that are short staffed, Secretary Harvey stated that everyone in government has to be committed to the funding level needed to operate facilities in a safe and secure manner.

Senator Neal commended DJJ for the presentation and its work and is hopeful that DJJ is going in the right direction.

Commissioner Reed recognized the hard work of DJJ staff and stated she is proud of DJJ staff.

Senator Storm adjourned the meeting.

Jail & Corrections Reform Task Force

Minutes of the 1st Meeting of the 2023 Interim

June 12, 2023

Call to Order and Roll Call

The 1st meeting of the Jail & Corrections Reform Task Force was held on Monday, June 12, 2023, at 11:00 AM, in Room 129 of the Capitol Annex. Representative Josh Bray, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator John Schickel, Co-Chair;

Representative Josh Bray, Co-Chair; Senators Brandon J. Storm, Robin L. Webb, and Whitney Westerfield; Representatives David Hale, Keturah Herron, and Jason Petrie.

Guests: Jim Henderson, Executive Director, Kentucky Association of Counties; Shellie Hampton, Director of Government Affairs, Kentucky Association of Counties; James Daley, Campbell County Jailer, President, Kentucky Jailers Association; Josh Lindblom, Hardin County Jailer; Arthur Maglinger, Daviess County Jailer; and Jason Woosley, Grayson County Jailer.

LRC Staff: Roberta Kiser, Randall Roof, and Jennifer Smith

The County's Role in the Criminal Justice System

^p Jim Henderson, Executive Director and Shellie Hampton, Director of Government Affairs with the Kentucky Association of Counties provided an overview of the types of jail facilities that operate in the Commonwealth. Mr. Henderson stated that 70 counties operate full-service jails, 43 counties do not have a jail, and 4 regional jails operate throughout the Commonwealth. Mr. Henderson provided the members with an estimate of the costs to the counties of operating jails. Further, he stated that the counties are currently housing 45 percent of all state inmates as of April 2023.

Ms. Hampton presented the legal and legislative history of how county jails became responsible for housing state inmates. In the 1980s, the Kentucky Supreme Court ruled that counties could house state inmates. In 1992, the General Assembly enacted a law that allowed a county to house a Class D felon for a per diem reimbursement. This resulted in new jail construction as counties began to see the opportunity to subsidize their jail costs by housing state inmates. Over time, the costs to the jail began to rise higher than the per diem rate to house state inmates.

In response to Senator Storm, Mr. Henderson stated that the association would provide information to the task force regarding the number of inmates that are currently being held awaiting trial in proportion to the total number of inmates. Also, the association would provide the number of jails with contracts to house federal inmates.

In response to Senator Westerfield and Representative Petrie, Mr. Henderson stated that the association would provide information to the task force regarding the costs of operating each of the county jails and regional jails.

In response to Representative Petrie, Mr. Henderson explained the differences between a full-service jail and a regional jail in regards to operation and costs.

Overview of the County Jail System

James Daley, Campbell County Jailer, President; Josh Lindblom, Hardin County Jailer; Arthur Maglinger, Daviess County Jailer; and Jason Woosley, Grayson County Jailer of the Kentucky Jailers Association presented an update to the members regarding jail populations, jail budgets, and the effects of recent legislative enactments.

Mr. Woosley described the current challenges facing the county jail system, including backlog in the court system and the high number of inmates with mental illnesses. Also, Mr. Woosley stated that many inmates are not eligible to participate in jail programs due to the delay in classification by the Kentucky Department of Corrections. Mr. Daley proposed the establishment of a uniform training program for all deputy jailers to provide safety for both the inmates and jail staff.

In response to Chairman Bray, Mr. Lindblom provided an overview of the inmate classification process completed by the Department of Corrections.

In response to Senator Webb, Mr. Daley stated that the Campbell County Jail has a full-time employee who is responsible for the classification of an inmate while he or she is housed in the jail. Mr. Woosley explained that most jails with Class D programs have employees that can classify individual inmates.

In response to Rep. Herron, Mr. Woosley described the types of work programs that Class D inmates can participate in while they are housed in county jails including road crews and building projects. Mr. Lindblom described some of the benefits the inmates receive from participating in these work programs.

In response to Representative Petrie, Mr. Lindblom stated that the per diem rate is not collected until the inmate has been finally sentenced.

Adjournment

There being no further business, the meeting adjourned at 12:37 P.M.

Interim Joint Committee on Economic Development and Workforce Investment

Minutes of the 1st Meeting of the 2023 Interim

June 22, 2023

Call to Order and Roll Call

The 1st meeting of the Interim Joint Committee on Economic Development and Workforce Investment was held on Thursday, June 22, 2023, at 9:00 AM, in Room 149 of the Capitol Annex. Senator Max Wise, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Max Wise, Co-Chair; Representative Russell Webber, Co-Chair; Senators Gary Boswell, Shelley Funke Frommeyer, Denise Harper Angel, Brandon J. Storm, Reginald Thomas, Phillip Wheeler, and Mike Wilson; Representatives Shane Baker, Jared Bauman, Josh Branscum, Steve Bratcher, Daniel Elliott, Mark Hart, Thomas Huff, Kevin Jackson, Kim King, Nima Kulkarni, Matt Lockett, Phillip Pratt, Rachel Roarx, Ashley Tackett Laferty, and Timmy Truett.

Guests: Kate Shanks, Senior Vice President of Public Affairs, Kentucky Chamber of Commerce and LaKisha Miller, Executive Director, Kentucky

Chamber Workforce Center.

LRC Staff: Helen McArthur, Crystal Thompson, Eric Rodenberg, and Sasche Allen.

Business-Driven Solutions to Kentucky's Workforce Challenges

Kate Shanks, Senior Vice President of Public Affairs at the Kentucky Chamber of Commerce and LaKisha Miller, Executive Director of the Kentucky Chamber Workforce Center, gave an overview of programs and strategies being utilized by the Kentucky Chamber and the Chamber's Workforce Center to combat labor market challenges for employers. Programs discussed included Talent Pipeline Management that aims to address skill gaps by organizing employers around their most critical workforce needs and the Workforce Recovery Program which includes the Fair Chance Academy and the Kentucky Transformational Employment Program. In addition, Ms. Miller also highlighted the Center's Bus to Business Program that engages students through webinars, events, and work-based learning activities.

Answering a question from Senator Wise, Ms. Miller and Ms. Shanks confirmed that the benefits cliff effect is a factor when considering low workforce participation rates.

Replying to Senator Thomas' question regarding increasing the minimum wage, Ms. Shanks stated that the Chamber supports economically sustainable wage growth but is not in favor of wage mandates for employers.

Addressing Senator Funke Frommeyer, Ms. Miller said the number of incarcerated individuals eligible for the Fair Chance Academy varies from month to month, and participants in the program are linked with employment opportunities three months prior to release. Replying to a follow up, she stated the program focuses on all industry sectors including manufacturing, construction, and healthcare.

Responding to questions from Representative Pratt, Ms. Shanks explained the difference between the unemployment rate and the workforce participation rate, pointing out that the unemployment rate includes individuals that are currently seeking employment due to loss of employment, and the workforce participation rate includes individuals no longer seeking employment. These rates are both impacted by populations that have begun to retire from the workforce. Regarding the Fair Chance Academy, legal liability protections have been put in place through legislation passed during the 2020 Regular Session.

Answering questions from Representative Kulkarni, Ms. Miller stated the Fair Chance Academy is utilized by employers of varying sizes and discussed fair chance business practices that are based upon the employers' needs. In response to a follow up question, she explained that Talent Pipeline Management industry sector alignments are based on the employers that have approached the Center to participate in the program. Automation and changes in the economy will change these industry sectors in the future.

Replying to Senator Boswell's comments, Ms. Miller said cannabis use policies vary amongst employers, and most Kentucky employers are paying above the federal minimum wage.

Representative Bratcher made comments about the Center's veteran workforce programs, tax rates, and employers paying above the federal minimum wage.

Addressing Senator Wilson's remarks about workforce participation, Ms. Miller referred to the Chamber's published reports including *Kentucky's Strategy for Rapid Workforce Growth* and discussed talent attraction approaches. Ms. Shanks mentioned tax code changes as a talent attraction tool.

In response to Representative Jackson, Ms. Shanks discussed how childcare affects workforce participation and the childcare assistance program established by 22 RS HB 499.

Answering questions from Representative Roarx, Ms. Miller gave more details about the Center's Bus to Business Program and discussed diversity across industry sectors, and Ms. Shanks further discussed remote worker incentives for talent attraction.

There being no further business before the committee, the meeting adjourned at 10:36 a.m.

Interim Joint Committee on Families and Children

Minutes of the 1st Meeting of the 2023 Interim

June 21, 2023

Call to Order and Roll Call

The 1st meeting of the Interim Joint Committee on Families and Children was held on Wednesday, June 21, 2023, at 1:00 PM, in Room 149 of the Capitol Annex. Representative Samara Heavrin, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Danny Carroll, Co-Chair; Representative Samara Heavrin, Co-Chair; Senators Greg Elkins, Denise Harper Angel, Amanda Mays Bledsoe, Stephen Meredith, and Lindsey Tichenor; Representatives Shane Baker, Kim Banta, Mike Clines, Jennifer Decker, Stephanie Dietz, Daniel Elliott, Ken Fleming, Jim Gooch Jr., Marianne Proctor, Josie Raymond, Steve Riley, Rachel Roarx, Lisa Willner, and Nick Wilson.

Guests: Laura W. Kaloi, Partner, Stride Policy Solutions; Debbie Link, Executive Director, Child Care Council of KY, Inc.; Becky Stacy, Executive Director, Appalachian Early Childhood Network; Sandra Woodall, Executive Director/Founder, Early Childhood Learning Education Assessment Resource Network; Margaret Commodore, Owner, Kiddie Castle; John Alexander, President/CEO, Owensboro YMCA; Paula Anderson, President/CEO, YMCA of Central KY; Laura Lewter, Executive Director, YMCA School Age Child Care, YMCA of Greater Louisville; Stephanie Akers, Director, Educational Unit for Child Services, Morehead State

University; Dr. Bridget Murray, Professor/IECE Program Director, Henderson Community College; Courtney Buchanan, CDA Instructor, Morehead State University; and Gary Fields, Superintendent, Bowling Green Independent Schools.

LRC Staff: Ben Payne Lead Staff, Logan Bush, Samir Nasir, and DJ Burns.

Consideration of Referred Administrative Regulations

The following administrative regulations were placed on the agenda for consideration:

910 KAR 001:180 Proposed – Homecare program for the elderly

The listed administrative regulations were reviewed by the committee.

The Federal Early Childhood Policy Landscape

Laura W. Kaloi, Partner, Stride Policy Solutions, discussed federal policy initiatives pertaining to child care in KY including federal stimulus packages, the programs funded, and the CHIPS Act.

Family Child Care Network of Kentucky – Stabilizing & Growing Family Child Care Homes Across the Commonwealth

Debbie Link, Executive Director, Child Care Council of KY, Inc., discussed what the Family Child Care Network of KY is and how it provides support to family child care providers throughout the state. She discussed what a registered family child care home is and the benefits they provide. Becky Stacy, Executive Director, Appalachian Early Childhood Network, discussed family child care home realities. Margaret Commodore, Owner, Kiddie Castle, discussed opening a family child care home and provided testimony from parents of the children in her care. Sandra Woodall, Executive Director/Founder, Early Childhood Learning Education Assessment Resource Network, discussed start up grants awarded to family child care providers and gave policy recommendations for future legislation.

In response to questions and comments from Representative Raymond, Ms. Woodall stated urban areas do have a need for more family child care facilities especially in the Hispanic communities. She is working to support those areas in opening more family child care facilities. Ms. Link stated that special needs children benefit from the opportunity to be provided child care in these family child care facilities across the entire state.

In response to questions and comments from Senator Carroll, Ms. Commodore stated that the cost of materials for lesson plans is one obstacle she faces in her facility. She stated that 21 of the children in her facility are state funded and another four children are self-pay or co-pay. She struggles to collect the self-pay and co-pay payments due to the financial circumstances of those families.

In response to questions and comments from Representative Fleming, Ms. Stacy stated that her network received a grant from the Family Child Care Network of KY that was used to fund the \$5,000 startup grant for providers, trainings for providers, travel to visit rural areas, and business

training for providers to help their businesses succeed. Ms. Link stated that the Family Child Care Network has helped cover the losses providers have experienced.

YMCA Child Care Realities & Considerations

John Alexander, President/CEO, Owensboro YMCA, discussed the total number of children statewide in YMCA childcare programs and hurdles the YMCA is facing when it comes to these programs and facilities. Laura Lewter, Executive Director, YMCA School Age Child Care, YMCA of Greater Louisville, discussed reviewing licensing requirements to differentiate between early childhood centers and out-of-school programs. Paula Anderson, President/CEO, YMCA of Central KY, discussed ARPA funding provided to child care facilities and the impact of that funding ending by the end of 2023.

In response to questions and comments from Representative Heavrin, Ms. Anderson stated that when they have the opportunity, they do an exit interview but most employees leave without returning.

In response to questions and comments from Representative Raymond, Ms. Lewter stated that she agreed with all the policy initiatives Representative Raymond described.

In response to questions and comments from Representative Fleming, Ms. Anderson stated that the YMCA center in Lexington is a corporate sponsorship with Lexmark. Mr. Alexander stated that the YMCA is a 501c corporation, they are always fundraising to help with the costs.

Early Childhood Educator Pathways & Educational Supports

Stephanie Akers, Director, Educational Unit for Child Services, Morehead State University, discussed the KY early childhood development scholarship, the benefits it provides to students at Morehead State University, and the requirements to receive the scholarship. Dr. Bridget Murray, Professor/IECE Program Director, Henderson Community College, discussed the KY early childhood scholarship at Henderson Community College.

Little Purples Academy: Creating Student Pathways while Retaining Staff

Gary Fields, Superintendent, Bowling Green Independent Schools, discussed the development of the Little Purples Academy in the Bowling Green Independent school district. He discussed the need for the academy within the community and the benefits it will provide to staff and students.

In response to questions and comments from Representative Riley, Superintendent Fields stated that the academy will be located on the main campus and that by taking advantage of using preschool materials they will be able to keep much of the cost down, ensuring this is a benefit to staff and help with staff retention.

In response to questions and comments from Senator Carroll, Superintendent Fields stated that students will be able to participate in an apprentice program during their senior year and to be

compensated for their time. He stated the full-time staff will be community education employees and that with the training students receive through the program they will be prepared to seek employment from child care facilities within the community.

Adjournment

There being no further business, the meeting was adjourned at 2:50 PM.

Interim Joint Committee on Judiciary

Minutes of the 1st Meeting of the 2023 Interim

June 8, 2023

Call to Order and Roll Call

The 1st meeting of the Interim Joint Committee on Judiciary was held on Thursday, June 8, 2023, at 11:00 AM, in Room 149 of the Capitol Annex. Representative Daniel Elliott, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Representative Daniel Elliott, Co-Chair; Senators Danny Carroll, Matthew Deneen, Gerald A. Neal, and Johnnie Turner; Representatives Kim Banta, John Blanton, Kevin D. Bratcher, Josh Bray, Lindsey Burke, Jennifer Decker, Stephanie Dietz, Patrick Flannery, Keturah Herron, Nima Kulkarni, Derek Lewis, Kimberly Poore Moser, Jason Nemes, Jason Petrie, Steve Rawlings, Scott Sharp, Pamela Stevenson, and Nick Wilson.

Guests: Representative Deanna Frazier Gordon, House District 81; Chief Rodney Richardson, Richmond Police Department; Major Josh Hale, Richmond Police Department; B. Scott West, Deputy Public Advocate, Kentucky Department of Public Advocacy; Susan Hopf, Directing Attorney, Kentucky Innocence Project; Laurie Roberts, State Policy Advocate, Innocence Project; Mike Von Allmen; Johnetta Carr; Edwin Chandler; Eric Schuller, President, Alliance for Responsible Consumer Legal Funding; and Sherman Joyce, President, American Tort Reform Association.

LRC Staff: Roberta Kiser, Matt Trebelhorn, Randall Roof, Michelle Spears, Stacy Byrns Taulbee, and Elizabeth Hardy.

Controlled Substances and Homicide

Representative Frasier Gordon and Representative Blanton discussed the need for an amendment to KRS 507.020, Kentucky's murder statute, to include the unlawful delivery, distribution, or sale of a controlled substance that results in death due to injection, inhalation, absorption, or ingestion of that substance. Chief Rodney Richardson and Major Josh Hale of the Richmond Police Department discussed the number of calls their department receives relating to drug overdoses that have resulted in death, particularly those that involve fentanyl. Chief Richardson advised that many of the victims were unaware that what they were using contained fentanyl. While a charge of

manslaughter in the second degree is available if someone sold a controlled substance that resulted in death, it is a non-violent felony offense and requires the transfer of some type of payment which can be difficult to establish as many of these sales are done in cash. Chief Richardson stated that families cannot comprehend why the individual who supplied the drug can only be charged with manslaughter and not murder. Major Hale described the investigation process and reiterated the questions from the families of the victims regarding why the person who gave their child the substance that resulted in that child's death is not being charged with murder.

Representative Blanton advised that the proposed legislation would be a tool to go after the bad actors and keep the people who are feeding this poison to our families and friends off the streets. He stated that while some may say this will cause people not to report an overdose, he does not think that will be a problem as law enforcement wants the dealer. If you are with someone and they overdose, all you have to do is tell law enforcement who sold the drugs.

In response to a question from Representative Decker, Chief Richardson provided statistics regarding the number of cases charged and the result in those cases. Adding the word "transfer" as it relates to the controlled substance as is contained in the proposed legislation would resolve some of the issue.

In response to questions from Representative Bratcher, Chief Richardson stated that the information and statistics they receive from government agencies is helpful to their community and law enforcement, and we should never stop fighting this fight for the victims and their families. Representative Blanton added that this legislation will not solve our problems, but it will provide an additional tool to help with control of the problem.

In response to a question from Representative Banta, Representative Blanton stated that the people who would be prosecuted under this proposal would be the drug dealers.

In response to questions from Representative Herron on the number of individuals charged with manslaughter related to drugs who had addiction issues, Chief Richardson stated that he did not know that number and he did not have statistics for the number of individuals charged with manslaughter throughout the state.

In response to a question from Representative Burke regarding amending the current manslaughter statute to address the concerns raised, Chief Richardson stated that it would be helpful but something stronger than a non-violent offense that is eligible for early release is needed.

Scott West advised the committee that while the intent to curb the scourge of overdose deaths in this state is sincere, he does not believe the proposed legislation curbs the problem. He stated that drug-induced homicide laws are counterproductive as the threat of increased prosecution does not stop the people who are selling drugs, but the fear of being charged does have a chilling effect on

Good Samaritan laws. He stated that there was no requirement of intent and this results in absolute liability.

EXONERATION COMPENSATION

Representative Jason Nemes stated to the committee that exoneration is not only good for the exoneree, it is also good for the state as it models the right type of behavior. When the state makes a mistake, even unintentionally, it is right to pay in some way for the consequences of that action.

Susan Hopf informed the committee that 38 states, the District of Columbia, and the federal government provide compensation for wrongful convictions. She further stated that exonerees often spend decades in prison and when they are released they may have ailing health and no family to help them. The proposed legislation is an important part of making an exoneree's life whole again.

Mike Von Allman told the committee about his wrongful conviction based upon a composite drawing that resulted in a prison sentence of 30 years. He stated that while he was granted parole after 11 years on his fourth appearance before the Parole Board, for any application that he filed he had to check the box that he had been convicted of a felony. On occasions when he was offered the job, as soon as he told them he was a convicted felon, the job offer was taken away. When one employer hired him after he said he was a convicted felon, he was assigned to work the hardest job designed to make him quit. He continued to work the jobs assigned to him and stated he finally worked himself into an apprenticeship program and became a successful plumber. The Kentucky Innocence Project later helped him and he urged the committee to support legislation to compensate those individuals who have been wrongfully convicted.

Edwin Chandler informed the committee that he is an exoneree after serving eight years in prison and another seven years on parole. He stated it was difficult to get employment as a convicted felon. He thought things would be different when he was exonerated but he still faced obstacles including PTSD from being incarcerated. Some exonerees cannot enter the work force because of their age and the length of time they have spent in prison. This results in no social security or anything else, which is why this exoneration compensation is so important.

Johnetta Carr informed the Committee that when she was 16 years-old she was interrogated for 11 ½ hours without parental consent for a crime she did not commit or have anything to do with. Before trial she was told that she could enter a plea and maintain her innocence or face the possibility of death. She ended up serving four years in jails and prisons and serving out nine years on parole. She advised the committee that the emotional and psychological toll of being wrongfully convicted cannot be overstated. Even though she was exonerated she still had difficulty finding employment.

Ms. Hopf stated that it is not guaranteed that anybody would receive an award under this

proposal as a judge would make the determination as to whether they qualified or not. She stated that it is estimated approximately 23 individuals are eligible, and 6 of them have pending civil suits. If an individual prevails in a civil action they would most likely not be eligible for any kind of compensation under this statute, as there would be an offset. Of eligible individuals, approximately 60 percent apply and of those approximately 75 percent receive compensation.

In response to questions from Representative Rawlings, Representative Decker, Representative Herron, Representative Dietz, Representative Nemes, Ms. Hopf, and Laurie Roberts discussed legal procedural issues, including matters involving juveniles and child support. Ms. Roberts stated that if an individual successfully establishes his or her innocence, a Certificate of Innocence is issued by the court.

Nonrecourse Consumer Legal Funding

Representative Flannery stated that nonrecourse consumer legal funding transactions are not unlawful, will not cause more litigation, and is not litigation financing. Eric Schuller explained the process in obtaining consumer legal funding and stated that all steps are codified in statute where this has been adopted. He stated that the funds can only be used for household needs, not for financing litigation.

Sherman Joyce discussed concerns about these loans including the rates the lenders routinely charge and the negative impact on potential settlements of litigated matters. Mr. Joyce stated that if Kentucky were to move forward with nonrecourse consumer legal funding, he would recommend that the loan be subject to the state's usury statute and that any agreements be required to be disclosed in litigation to ensure all parties and the court are aware of the loan.

In response to a question from Representative Sharp, Representative Flannery stated that while this type of funding has some similarities to payday lending it is not the same, but it does need regulation. Mr. Schuller stated that under this proposal, no repayment is required until after an award is received.

In response to a question from Representative Banta, Mr. Schuller stated that this type of consumer lending is not the same as litigation funding.

In response to a question from Representative Bray, Mr. Schuller stated that all fees are stopped at the 42-month mark. Mr. Schuller stated that in general terms the loan amount is capped at 10 percent of the likely recovery in the litigation resulting in usual loan amounts in the \$2,000 to \$5,000 range.

There being no further business, the meeting adjourned at 1:00 p.m.

Task Force on Local Government

Annexation

Minutes of the 1st Meeting of the 2023 Interim

June 30, 2023

Call to Order and Roll Call

The 1st meeting of the Task Force on Local Government Annexation was held on Friday, June 30, 2023, at 1:00 PM, in Room 169 of the Capitol Annex. Representative Jonathan Dixon, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Robby Mills, Co-Chair; Representative Jonathan Dixon, Co-Chair; Senators Michael J. Nemes, Robert Stivers, and Phillip Wheeler; Representatives Beverly Chester-Burton, Michael Meredith, and Michael Sarge Pollock.

Guests: Dawn Kelsey, Henderson City Attorney; Steve Gold, Henderson County Attorney; Jim Henderson, Shelley Hampton, and Rich Ornstein, Kentucky Association of Counties; Bryanna Carroll, Morgain Patterson, and Michele Hill, Kentucky League of Cities; and Ron Wolf and Mike Clark, University of Kentucky Gatton College of Business and Economics.

LRC Staff: Christopher Jacovitch, Mark Mitchell, and Cheryl Walters.

Representative Dixon stated that he wanted to reassure everyone that there are no predetermined outcomes when it comes to the task force, but there are a few goals that have been set: bring cities and counties together to discuss the important issue of annexation; allow members to gather information and get questions answered; and allow an unbiased approach to annexation so that cities and counties can work together for the progress of the people in Kentucky.

Discussion of Current Annexation Laws from the Prospective of Cities and Counties

Ms. Dawn Kelsey, Henderson City Attorney, told the members that the statutory requirements for proposed annexation are primarily found in KRS Chapter 81A.

The requirements for proposed annexation by a consolidated local government are somewhat different from other local governments and can be found in KRS 67C.111. Any proposed annexation by a city in that county shall first receive the approval of the legislative council of the consolidated local government prior to the city proceeding with annexation. After July 15, 2024, a change in the law will allow a petition by 66 percent or more of the qualified voters, of the area proposed to be annexed, to allow annexation.

Generally, the territory proposed to be annexed must be adjacent or contiguous to the city limits. Kentucky courts have held that to meet the requirement the new area only needs to touch the boundary of the annexing city or could be annexed even if separated by some natural barrier such as a river or road. There is no requirement that the shape of an annexed territory be regular.

Corridor annexation is the annexation of "thin strips of land" such as highways, which is the only link between the territories. In general, these types of annexations are disfavored by courts, but they may be approved if there is a tangible "municipal

purpose." Municipal purpose cannot be just contiguity, but instead the corridor should serve a concrete and tangible municipal purpose existing at the time the annexation is sought. Ms. Kelsey discussed a recent Attorney General Opinion which found that the existence of watermain or other utility services along the corridor constituted a valid municipal purpose to support annexation.

If the corridor annexation is along a county road, then the road will become a city road, and the city will be responsible for its upkeep. Mr. Steven Gold, Henderson County Attorney, added that in some situations, cities will use corridor annexation along the shores of lakes or rivers, or along utility easements, and thus avoid annexing county roads, meaning the county would remain responsible for road maintenance. Ms. Kelsey stated that those types of annexations occurred rarely.

In continuation, Ms. Kelsey stated that the territory proposed to be annexed must be urban in character or suitable for urban development without unreasonable delay. Ms. Kelsey discussed a recent example in Henderson County where a farm parcel was consensually annexed by the City of Henderson and a papermill will soon open on that land that will provide a significant number of jobs. This example demonstrated that the property need not be urban at the time, but would be suitable for urban development. Ms. Kelsey stated that the criteria for determining suitability for urban development would include nearby population density, and the potential for commercial, industrial, institutional, or governmental use of the land.

Ms. Kelsey next discussed circumstances where a territory would not be suitable for annexation. The territory proposed to be annexed may not include lands that lie within the boundaries of another incorporated city. Additionally, any land within an agricultural district formed pursuant to KRS 262.850 (Agricultural District and Conservation Act) cannot be annexed. Generally, no part of the territory proposed to be annexed may lie in another county—a city located in one county may not annex territory in a different county—but a limited exception exists in KRS 81A.415 which provides an option for cities already located within two counties to annex territory located in a third county that contains the city's utility infrastructure. The exception might apply to the City of Corbin which lies within two counties.

If the territory to be annexed meets the statutory requirements, then there are two pathways to annexation: consensual, which is the most common type of annexation—97 percent of all the annexation in the state for the last three years were consensual; and non-consensual, which is uncommon in Kentucky. Ms. Kelsey stated that in her 11-year tenure, and during the 21-year tenure of her predecessor, the City of Henderson had never undertaken a non-consensual annexation. The non-consensual annexation process requires more steps in order to protect the rights of property owners and residents in the area being annexed.

When conducting a consensual annexation,

the city may immediately enact an ordinance annexing territory into the city if it obtains the written consent of each owner of real property within the territory proposed to be annexed. To conduct a consensual annexation, the consent must be in writing, and must be obtained from each property owner within the territory. Ms. Kelsey also stated that cities can also contract for consent to annexation when agreeing to provide municipal services in an area. Those contracts can bind future owners of the property, if they are properly recorded with the county clerk. Even where a city provides services to an area outside of its annexed territory, it may wait to annex that territory.

For a non-consensual annexation a city will begin with an “intent to annex” ordinance. They city must have a first reading of the ordinance; provide notice of a second reading of the ordinance to all real property owners within the territory proposed to be annexed within requisite statutory time limits, and conduct a second reading and passage of the ordinance. The city must also publish the “intent to annex” ordinance and publish notice of the right to petition to place the question of annexation on the ballot on two different occasions. If no objection or request for petition is received by the city within 60 days, the city may proceed with the non-consensual annexation via ordinance.

When a valid petition objecting to the annexation—signed by either 50 percent of resident voters within the proposed annexed territory, or 50 percent of the real property owners in the proposed annexed territory—has been received by the mayor, it is placed on the ballot for the next regular election by the county clerk. If 55 percent of those voting oppose annexation, then the annexation is defeated, and no portion of the proposed annexed property can be annexed for five years. Further, a city may not withdraw the proposal for annexation, in order to avoid having the issue placed on the ballot. If fewer than 55 percent of those voting oppose the annexation, then the city may move forward by passing an annexation ordinance.

For both consensual and non-consensual annexation the final steps for a city to annex the territory include: 1) sending notice of the annexation to the proper individuals and entities; 2) delivering a copy of the annexation ordinance, map, and list of properties with name and address for each property owner to the county clerk within 60 days of the annexation; 3) sending the ordinance and a map prepared by the land surveyor to the Secretary of State’s Office so that voter rolls can be updated; 4) sending a map with new boundaries to the Kentucky Revenue Cabinet; and 5) sending the map to all affected franchise taxpayers.

Ms. Kelsey next turned to some unusual types of annexations addressed in statute. First, industrial plants, which are not located in residential areas, may be non-consensually annexed pursuant to KRS 81A.510. The statute requires that the industrial plant being annexed to also be included in area that contains registered voters in numbers equal to or greater than 50 percent of the average number of

employees of the industry in the preceding calendar year. This is a high standard and requires that when a non-consensual annexation of an industrial area occurs it must be of a significantly larger territory than just the plant itself.

KRS 81A.427 imposes additional notice requirements on a city annexing territory containing the utility infrastructure owned by another city. KRS 81A.490 provides that the rights of utilities in an area annexed by a city are expressly preserved. Annexations do not affect utility areas or the provision of utility services. Ms. Kelsey again discussed the paper mill in Henderson County, and explained that the electrical utility provider would not be changed due to the annexation of territory.

With regard to the temporary annexation procedures found in 2023 SB 141, beginning on March 1, 2023, cities will only be permitted to complete annexation that was started, but not completed, prior to March 29, 2023, and can only initiate new annexation if it meets the following criteria: 1) an opportunity for substantial economic development would be impeded if a parcel of land is not annexed; 2) an annexation of a parcel would directly facilitate the delivery of new or substantially improved city services that cannot be provided by the city in the absence of the annexation or the lack of annexation will result in the substantial loss of services; 3) if annexation was started on or after March 1, 2023, and a contract associated with the annexation led prior to March 29, 2023, would be voided by the provisions of SB 141; 4) the property owner has requested the annexation of property that is contiguous to the existing city boundary and the city provides written notice to the fiscal court at least 45 days prior to enacting the final ordinance annexing the property; 5) the fiscal court has concurred in the annexation; 6) the provision of SB 141 would void, alter, or otherwise impede the continuation of any provision of an interlocal agreement executed by the county and one or more cities within the county involving occupational license fees or insurance premium taxes; and 7) when annexation is required in order to maintain ongoing services provided by a city to a school, no city, prior to July 1, 2024, may initiate or complete an annexation of an area that includes any property owned by that school district unless requested by the school district and concurred with by the fiscal court of the county.

Standing to Challenge Annexations has been extended to permit those that are harmed to contest the legality of the annexation, including adjoining property owners to a territory proposed to be annexed where there are no residents within that territory. Further, SB 141 grants standing to counties opposed to an annexation within their territory from the date of enactment to July 1, 2024. Counties do not otherwise have a statutory right to challenge an annexation unless the county owns property within the territory. Mr. Gold noted that there are two different types of Standing to Challenge Annexations—standing to oppose the annexation when it is proposed and standing to

challenge the annexation in court.

The city may wait to zone newly annexed territory using normal procedures provided in KRS Chapter 100 after the annexation is complete. But when a non-consensual annexation is proposed, the city may proceed to propose zoning of that territory between the passage of the “intent to annex” ordinance and the final annexation ordinance by following the procedure outlined in KRS 100.209.

After the annexation, the burden of taxation must be uniform throughout the city, which means the city must assume any liabilities attached to the annexed territory and the annexed territory must assume its fair share of the tax burden. City services, such as fire and EMT services, must be made available to residents in the newly annexed territory.

Mr. Gold explained that there are three main revenue options for cities and counties: 1) property taxes on real property, personal property, and motor vehicles; 2) occupational license taxes; and 3) insurance premium taxes. Occupational taxes and insurance premium taxes require crediting, meaning that if a city and county both levy those taxes, county revenue is decreased by the amount paid to a city, in order to avoid double taxation. Occupational license fee rates are capped at one percent for counties with populations of more than 30,000 by KRS 68.197.

Mr. Gold referred to several maps of Kentucky counties showing the imposition of different taxes by counties and cities. Occupational taxes are not uniform across the counties, and are subject to a variety of exceptions. Mr. Gold listed several counties that have been grandfathered in and do not have crediting requirements. Concerning insurance premium taxes, only three counties, pursuant to KRS 91A.080, are not required to credit those taxes when an insurance premium tax is levied by a city.

Other revenue options available to cities and counties include: bank franchise/local deposits; transient room tax; alcohol regulatory fees; 911 fees; and user fees for sanitation. These taxes do not represent a substantial source of revenue for local governments.

In response to a question from Senator Wheeler, Mr. Gold replied that occupational and insurance premium taxes are subject to separate crediting. If a county imposed an insurance premium tax on a business that was then annexed into a city that levied an occupational tax, the business would be required to pay both in full.

In response to a series of questions from Senator Stivers, Mr. Gold stated that certain counties were not required to credit occupational taxes and thus those subject to the taxes within cities would have those taxes stacked. Mr. Gold described the occupational licensesure taxation statutes as a morass due to the multitude of exemptions. In counties with a population less than 30,000, the county could impose an occupational license tax, and a city located within that county could impose its own occupational license tax, and those taxes would similarly not be subject to offsetting. Mr.

Gold discussed the legislative history concerning the occupational licensure statutes. The statute was originally intended to grant an authority to those counties with a population of more than 30,000 to impose an occupational tax via referendum. In 1986, the referendum requirement was subsequently removed and the crediting requirement was added. Then in 1988, a court ruling held that counties with a population under 30,000 were permitted to impose occupational taxes pursuant to their home rule powers. Because of this unique history, those counties with populations of less than 30,000 were granted powers that the legislature had initially conceived of as only constituting a limited and restricted grant to larger counties, without any of the limitations or restrictions imposed on larger counties.

In response to another question from Senator Stivers, Ms. Kelsey stated that generally corridor annexations will be approved if the municipal purpose of annexing the territory is real at the time of the proposed annexation. The distance of the corridor is not a relevant factor, and usually the purpose relates to municipal services. The purpose may not be speculative. Ms. Kelsey discussed the benefits that those within the corridor may receive, and some benefits that the county may receive from her experience. Mr. Gold, stated that each county presents unique situations. Additionally, while courts indicate that they disfavor corridor annexations very few have been disallowed. Mr. Gold also raised a hypothetical example where the county engaged in bonding or other economic development in an area that was subsequently annexed which would lead to conflict, but in his experience with Ms. Kelsey, they were able to work out issues related to annexation on the front end.

In response to another question from Senator Stivers, Ms. Kelsey stated that an annexation would likely not be approved where there was no need for any municipal services or those services were adequately provided by some other entity.

In response to another question from Senator Wheeler, Ms. Kelsey stated that cities have the right to decide what lines will be drawn when annexing territory, and may avoid those parcels where they anticipate residents may object. The presenters again emphasized that the shape on an annexation do not matter.

Senator Mills commented that irregular shapes and holes in annexed territory causes problems with city services, as in his district, in knowing what is provided in the city and the county, and who is to respond in emergency situations. Ms. Kelsey replied that situation has improved due to GIS surveying and mapping. Mr. Gold stated that there are situations where gaps occur in provision of services even from house to house due to irregular annexations.

In response to Senator Wheeler's concern, Representative Meredith commented that he believed that when there are significant portions of agricultural land involved, it is not a direct consensual versus non-consensual discussion with

the resident of the property, but the agricultural district can be created which then precludes the annexation. Ms. Kelsey said that Representative Meredith was correct and that agricultural and conservation districts are not subject to annexation. Mr. Gold noted that the creation of those districts can be burdensome.

Representative Dixon encouraged people that had related stories or issues, to let task force members know, and that the task force planned to include testimony from affected individuals and entities in future meetings. He pointed out that there was additional information in the members' folders relating to the role of counties in municipal annexation in nearby states.

Senator Mills commented that the task force would like to hear from other organizations at their July and August meetings. The task force has scheduled to hear from KACo in September and from KLC in October. Generally, members of the task force would like to know what is going on around the state related to the issue of annexation.

Representative Dixon announced that the next meeting of the Task Force would be July 21, 2023. There being no further business, the meeting was adjourned at 2:00 p.m.

Interim Joint Committee on Licensing, Occupations, and Administrative Regulations Minutes of the 1st Meeting of the 2023 Interim

June 22, 2023

Call to Order and Roll Call

The 1st meeting of the Interim Joint Committee on Licensing, Occupations, and Administrative Regulations was held on Thursday, June 22, 2023, at 11:00 AM, in Room 154 of the Capitol Annex. Senator John Schickel, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator John Schickel, Co-Chair; Senators Donald Douglas, Jimmy Higdon, Michael J. Nemes, Damon Thayer, and Reginald Thomas; Representatives Kim Banta, Kevin D. Bratcher, Emily Callaway, Mike Clines, Patrick Flannery, Samara Heavrin, Thomas Huff, Kevin Jackson, Nima Kulkarni, Michael Meredith, Ruth Ann Palumbo, Phillip Pratt, Tom Smith, and Killian Timoney.

Guests: Steven Doan, State Representative; Angela C. Erickson, Strategic Research Director, Pacific Legal Foundation; Gerald Neal, State Senator; Maggie Scheppmann, MM, MT-BC; Shoshana Weissman, Digital Director and Fellow, R Street Institute; Joe P. Donohue, Executive Director, Kentucky Board of Accountancy; Russ Romine, Kentucky Society of Professional Engineers/American Council of Engineering Companies; Jill Smith, Kentucky Board of Architects; Julie Campbell, Executive Director, Kentucky Board of Cosmetology; Jim Musser, Kentucky

Hospital Association; and Mason McNulty, State Administrator, Kentucky Board of Barbering.

LRC Staff: Jasmine Williams, Wendy Craig, CaraBell Preece, and Lisa W. Moore

Call to Order and Roll Call

Chairman Schickel called the meeting to order and acknowledged a quorum was present. He sent greetings from Chairman Koch, who had a conflict with the June meeting and noted he would chair the next meeting in July.

Music Therapy Licensing

Gerald Neal, State Senator, said the purpose of the bill is to establish a licensing board for professional music therapists. It will help to ensure that individuals receive safe and effective therapy from qualified and professional practitioners, and promote the profession while offering a mechanism for oversight, accountability, and protection for both the public and music therapists.

Maggie Scheppmann, MM, MT-BC, co-chair of the Kentucky Music Therapy Task Force and a certified music therapist for hospice patients. She said it is important to increase the number of certified music therapists as it provides many benefits for people of all ages suffering from different ailments and disabilities. Music therapy is the clinical and evidence-based use of music interventions to accomplish individualized goals within a therapeutic relationship by a credentialed professional who has completed an approved music therapy program, and can improve the quality of life for its recipients.

Ms. Scheppmann said there are 117 board-certified music therapists in Kentucky. The legislation will help to make people aware of the profession, and make it easier for people to apply to be a music therapist in their area. Music therapy is a valuable service that provides many benefits. She urged the committee to support the legislation in order to provide more people this valued service.

Senator Thomas said he is supportive of the legislation and would like to get it passed in the 2024 Regular Session of the General Assembly. He has heard testimony of the benefits obtained from the therapy from actual patients and believes it is a necessary tool for healthcare practitioners to help improve some patients' quality of life.

Responding to Senator Nemes, Ms. Scheppmann said there is a national credentialing board in place called the Certification Board for Music Therapists (CBMT). There is no need to create a separate board in Kentucky. Senator Neal also mentioned that art therapy is evidence-based, effective, and in place in Kentucky.

Chairman Schickel said music and art therapy are beneficial services for Kentuckians and contribute to a well-balanced and happy life. He said the licensing issue of the service needs to be further examined.

Anonymous Lottery Winners

Representative Banta said the bill would allow for lottery winners winning over \$1,000,000 to remain anonymous for one year. There were 15 one million dollar lottery winners in Kentucky in

2022. Chairman Schickel said this a common-sense measure.

Responding to a question from Senator Thomas, Representative Banta said she did not want to hurt the lottery's advertising by requiring winners to remain anonymous longer than one year. The lottery advertises by highlighting people's winnings and the proposed bill would not hinder that effort.

Universal Licensing

Steven Doan, State Representative, said House Bill 343 is the universal recognition of occupational licensing, and expands on existing law. Kentucky allows for military spouses to bypass occupational licensing standards if they meet the requirements of their previous state. Applicants must have held an occupational license from another state for at least one year and be in good standing. They also cannot have a disqualifying criminal record as determined by the Commonwealth of Kentucky. No board or jurisdiction can have revoked the license for a public protection issue. Applicants must have no active complaints against them in another state.

Representative Doan said Kentucky is unique and has several occupational licenses that other states do not have. The bill creates a provision to allow applicants with three years of experience to apply for a license, if meeting all the other requirements. The bill does not deny or remove the right from a private entity to license individuals. The legislation does not bypass any current state law or repeal any compacts, and only adds an alternative route to get people licensed and working.

Representative Doan said Kentucky is ranked the sixth most burdensome state in the United States in obtaining occupational licenses. Kentucky also ranks second of four states in the East South Central region, only trailing Alabama. Kentucky's total barriers (197) and licenses (163) are above the regional and national averages. A barrier exists when the tasks associated with an occupational title are restricted by an occupational license to perform those tasks. The occupation itself may not have a specific license, but it is a crime to perform the associated tasks without meeting any requirements.

Ms. Angela Erickson, Strategic Research Director, Pacific Legal Foundation, testified in support of House Bill 343 and universal licensing. She said universal recognition of occupational licenses is essential to promote economic prosperity in the Commonwealth. She noted that in 2018 and 2019, the Kentucky General Assembly passed legislation providing universal recognition for veterans and military personnel and their spouses. These bills made it easier for military families to move to Kentucky, and support them through retirement.

Ms. Erickson said 20 states provide universal recognition of occupational licenses to new residents, including Kentucky's bordering states of Missouri, Ohio, and Virginia. One study shows 3,800 workers could be positively impacted and the legislation could reduce the unemployment rate in these occupations by one percentage point.

Kentucky has a labor shortage, and needs workers. House Bill 343 makes it easier for employers and consumers to identify and employ people who can meet their needs.

Ms. Shoshana Weissmann, Digital Director and Fellow, R Street Institute, testified by Zoom in support of the bill. She said universal recognition of occupational licenses will encourage people to move to Kentucky and enable current residents to get back to the specialized work they know best. The policy would also benefit spouses of people who have already moved to Kentucky for a better job. Finally, House Bill 343 would grant the Governor certain emergency powers to expand professional scope of practice and authorize professionals to work in the state during emergencies.

Responding to questions from Senator Douglas, Representative Doan said during COVID-19, the law was expanded to accept new healthcare workers from out-of-state and the new bill will not hinder what is in place or affect healthcare workers.

Senator Douglas said patterns or incidents emerge in other states that Kentucky can learn from and employers can analyze data trends. Representative Doan reiterated that all applicants will have to show proof that their certifications from another state are in good standing. Employers will have to determine if applicants have appropriate licensing qualifications for the job. Ms. Erickson said state data records are public information and employers can access licensing information from other states.

Responding to a question from Representative Flannery regarding the profession that would benefit from this legislation the most, Representative Doan said hairdressers and contractors. He said a compact was passed last session to ease the burdens on hairdressers seeking certification in Kentucky. Litigation is very common for contractors coming from other states and not meeting Kentucky's standards. Representative Doan said the legislation covers all licensed occupations except for lawyers.

Responding to questions from Senator Nemes, Representative Doan said no exams will be required if applicants meet the other states' certifications. The bill will not require an additional test of any kind, but will honor the other state's accreditation. Senator Nemes said many other states do not have standards as rigorous as Kentucky. Representative Doan said Kentucky should at least be meeting the minimum standards compared to other states.

Senator Nemes said a board should be able to approve states' standards for licensing across the board rather than individually. Representative Doan said that is a suggestion for the future, but it is not what the bill does.

Representative Meredith said this is unfair competition as the bill does not require reciprocity with other states and requires Kentucky to give up state sovereignty. Representative Doan said many of Kentucky's surrounding states have enacted this legislation and it will put Kentucky at a competitive disadvantage if it does not. Kentucky is the most

restrictive for licensing requirements of any border state.

Responding to a question from Representative Heavrin, Representative Doan said the bill would cover every industry. He said reciprocity is already in place to allow healthcare workers to work in the state, as well as veterans, military personnel, and military spouses.

Responding to a question from Representative Palumbo, Representative Doan said Kentucky employers need to hire qualified contractors into the state to meet industry standards. By creating a lower barrier of entry, Kentucky can get the qualified talent and workers it needs. The bill provides safeguards against unqualified contractors from out-of-state, and they are checked for certification and good standing in their home state.

Russ Romine, Executive Director, Kentucky Society of Professional Engineers, testified in opposition to the legislation. Mr. Romine said House Bill 343 took a broad-brush approach and failed to recognize that many professions already have fair and efficient systems for reciprocity in place. The Kentucky Board of Architects and the Kentucky Board of Professional Engineers & Land Surveyors, rely on the support of national organizations to compile and verify the credentials of interstate applicants. However, House Bill 343 would have placed this burden on Kentucky's licensing boards. They are understaffed for this task, which would likely result in much longer review periods than what candidates are currently experiencing, as well as higher fees.

Julie Campbell, Executive Director, Kentucky Board of Cosmetology, spoke against the bill. She said a compact was implemented and hairdressers must meet the lowest common denominator in order to receive a license to cut hair in Kentucky. The Board of Cosmetology is ensuring the protection of the public while adhering to the guidelines set in place from the legislature on hairdresser requirements. She noted if applicants submit all credentials in a timely and appropriate manner, they can be credentialed to provide hair services in Kentucky within 30 days. Nail technicians can be unqualified and dangerous as some states have no requirements for these individuals.

Jill Smith, Kentucky Board of Architects, said Kentucky does not need a reciprocal license as one is already in place. The Kentucky Board of Architects has granted 864 reciprocal licenses in the past five years. In that time, the average approval period took less than two weeks, and only two applicants were denied. The proposed legislation could create additional impediments when it comes to design professionals practicing in the Commonwealth.

Responding to a question from Representative Bratcher concerning the loosening of occupational restrictions during the COVID-19 pandemic, Mr. Romine said Kentucky's licensing standards have stood the test of time, but he cannot guarantee these standards are better than those of other states. Ms. Smith said architects in good standing already receive reciprocity in Kentucky and can get a license

in two or three weeks. She feels the \$100 fee should be increased as staffing is a concern, but is pleased that the year wait has now been eliminated.

Responding to a question from Senator Thomas, Representative Doan said it is a workforce development issue and Kentucky needs to make it easier to employ qualified people from out-of-state. Kentucky has worker shortages, and this legislation addresses the need in a responsible way.

Chairman Schickel said state sovereignty is a critical issue just like with compacts. He said it is an important subject and can affect different professions in different ways. He said the Licensing, Occupations, and Administrative Regulations Committee will have another hearing on the issue in the 2023 Interim.

Review of Administrative Regulation 201 KAR 001:190

Joe P. Donahue, Executive Director, Kentucky Board of Accountancy, said a board amendment is needed in order to bring forms up-to-date to be aligned with the new 2024 Uniform CPA Examination that will be administered in January 2024. Senator Thayer motioned to approve the amendment to 201 KAR 001:190 and Representative Timoney seconded the motion. The amendment to the administrative regulation was adopted by voice vote.

Adjournment

With no further business before the committee, the meeting adjourned at 11:55 AM.

Interim Joint Committee on Tourism, Small Business, and Information Technology Minutes of the 1st Meeting of the 2023 Interim June 22, 2023

Call to Order and Roll Call

The 1st meeting of the Interim Joint Committee on Tourism, Small Business, and Information Technology was held on Thursday, June 22, 2023, at 1:00 PM, in Room 149 of the Capitol Annex. Senator Max Wise, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Max Wise, Co-Chair; Representatives Kim King, Co-Chair, and Phillip Pratt, Co-Chair; Senators Shelley Funke Frommeyer, Brandon J. Storm, Phillip Wheeler, and Mike Wilson; Representatives Chad Aull, Shane Baker, Ryan Dotson, Daniel Fister, Deanna Frazier Gordon, Chris Freeland, Chris Fugate, Nima Kulkarni, Savannah Maddox, Candy Massaroni, Shawn McPherson, Michael Sarge Pollock, Brandon Reed, Sarah Stalker, Ashley Tackett Laferty, Killian Timoney, Timmy Truett, Bill Wesley, Richard White, Nick Wilson, and Susan Witten.

Guests: Meghan Sandfoss, Executive Director, Office of Broadband Development; John Hicks, State Budget Director; Tyler Campbell, Executive Director, Kentucky Rural Broadband Association;

and John Higginbotham, Executive Vice President and Chief Operating Officer, ACA Connects - America's Communication Association.

LRC Staff: Helen McArthur, Crystal Thompson, Eric Rodenberg, and Sasche Allen.

Office of Broadband Development Update

Meghan Sandfoss, Executive Director of the Office of Broadband Development, and John Hicks, the State Budget Director, discussed the status of broadband improvement funding. The General Assembly appropriated \$300 million of American Rescue Plan Act (ARPA) funds to expand broadband into the unserved and underserved areas of the Commonwealth. The first round of funding was awarded in 2022 totaling approximately \$90 million that subsidized the construction of broadband deployment with a total investment of \$200 million. The application process for the second round of funding started in November 2022 and awards are expected to be dispersed beginning July 2023. Mr. Hicks described the application process for providers and the challenge procedures. Ms. Sandfoss gave details regarding the Commonwealth's opportunity to receive funding through Broadband Equity, Access, and Deployment (BEAD) funding, a \$42 billion federal broadband deployment program.

Responding to questions from Representative Aull, Ms. Sandfoss said maps are available on the Office of Broadband Development's website that indicate locations for the first round of broadband funding and where the challenge areas exist. Mr. Hicks added that there will be maps available for the second round of funding and explained the revision process for applicants. ARPA funding must be allocated by the end of 2026, and BEAD funding must be allocated by the end of 2027.

Answering several questions from Representative Pratt, Ms. Sandfoss stated there are just under \$200,000 in applications out of the \$20 million in grant funding approved by the General Assembly to assist eligible internet providers with utility pole replacement costs. Mr. Hicks said he was unsure of any action the General Assembly could take to expedite the process.

Replying to Senator Funke Frommeyer, Ms. Sandfoss discussed permitting issues that had occurred with Senator Funke Frommeyer's constituent.

Addressing a question from Representative Freeland, Ms. Sandfoss said unserved areas take priority over underserved areas for the allocation of BEAD funding.

Responding to Representative Kulkarni's questions, Mr. Hicks gave clarification about the various broadband deployment funding sources and pointed out that all sources have been federal funding. Approximately \$300 million was allocated of ARPA funds, with \$117 million for the Local Fiscal Recover Fund and \$182 million for the Capital Projects Fund. The federal BEAD program was discussed in detail again along with the rigid provider requirements.

The Future of Broadband Deployment

- National and State Trends in Broadband Development

Tyler Campbell, Executive Director of the Kentucky Rural Broadband Association (KYRBA), gave an overview of the organization and its 18 community-based rural broadband provider members that serve part of 45 counties in the Commonwealth. KYRBA member companies have invested more than \$1.78 billion in property, plant, and equipment in their operations throughout the Commonwealth. Also discussed were current state and federal broadband deployment programs which included the Better Internet Program, USDA ReConnect, the Rural Digital Opportunity Fund, and the Broadband Equity, Access, and Deployment (BEAD) funding. Mr. Campbell elaborated on the issues impacting the future of broadband deployment such as workforce challenges, supply chain issues, and the environmental permitting review process.

In response to Representative McPherson, Ms. Sandfoss provided further information regarding the application process for providers to obtain ARPA funds. Representative McPherson expressed concerns with the ten-year build out period.

Answering questions from Representative Kulkarni, Mr. Campbell said his member companies are confident they can meet the requirements to attain federal broadband deployment funding with assistance from KYRBA and its national counterpart. In response to a follow up, he stated obtaining the contractors needed to complete the deployment projects has posed an issue.

Replying to Representative Stalker, Ms. Sandfoss stated numerous internet providers across the state offer customers assistance with setting up services and applying for affordable connectivity programming. Mr. Campbell detailed some of the service marketing strategies being utilized by his member companies.

John Higginbotham, Executive Vice President and COO of ACA Connects, gave a national overview of broadband deployment trends. ACA Connects' members deliver affordable basic and advanced services to 23 million households across the country and advocates for fair treatment for small and medium sized independent operators. There are 38 ACA Connects members in the Commonwealth. Many are also members of KYRBA. Mr. Higginbotham discussed two studies released by the organization last year. One of the studies included an analysis of the state of competition within the fixed broadband marketplace. Yesterday, a third version of a study examining the framework of the BEAD program was released. ACA Connects estimates that Kentucky will receive \$1.1 billion of BEAD funding that should suffice to reach all 203,000 eligible unserved or underserved locations and should leave funding for affordability programs.

Responding to Representative King, Mr. Higginbotham confirmed that states may struggle to meet some of the federal broadband deployment fund requirements. He also briefly discussed providers marketing services to customers.

Answering a question from Senator Wheeler, Mr. Higginbotham and Mr. Campbell discussed the longevity of fiber despite changing technology.

There being no further business before the committee, the meeting adjourned at 2:36 p.m.

Interim Joint Committee on Veterans, Military Affairs, and Public Protection

Minutes of the 1st Meeting

of the 2023 Interim

June 21, 2023

Call to Order and Roll Call

The 1st meeting of the Interim Joint Committee on Veterans, Military Affairs, and Public Protection was held on Wednesday, June 21, 2023, at 11:00 AM, in Room 154 of the Capitol Annex. Representative Walker Thomas, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Rick Girdler, Co-Chair; Representative Walker Thomas, Co-Chair; Senators Karen Berg, Gary Boswell, Matthew Deneen, Denise Harper Angel, Jimmy Higdon, Stephen Meredith, Gex Williams, and Mike Wilson; Representatives Tina Bojanowski, Steve Bratcher, Stephanie Dietz, Myron Dossett, Chris Freeland, Chris Fugate, Jim Gooch Jr., Mark Hart, DJ Johnson, Candy Massaroni, Marianne Proctor, Rebecca Raymer, Scott Sharp, Sarah Stalker, Pamela Stevenson, Ashley Tackett Laferty, and Bill Wesley.

Guests: Richard Nest, Distinguished Veteran; Juan Renaud, Deputy Commissioner, Kentucky Department of Veterans Affairs (KDVA); Silas Session, Executive Director, KDVA; Brigadier General (Ret.) Steve Bullard, Executive Director, Kentucky Commission on Military Affairs; Matt Castor, Vice President of Government and Corporate Relations, USA Cares; Bill Dieruf, Board Member, USA Cares; Brian Gibson, Founder and President, Project Diehard; Michael Stoyonovich, Disabled American Veterans (Department of Kentucky); Larry Arnett, Legislative Liaison, Joint Executive Council of Veterans Organizations; and Michael Carmichael, Founder, President, and Chief Executive Officer, Check A Vet.

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

Distinguished Veteran

Richard Nest, a Vietnam veteran and long-time advocate for veterans, was honored by the committee. He thanked the committee members for their work on behalf of veterans and spoke about the need to continue to support them.

Kentucky Department of Veterans Affairs

Juan Renaud, Deputy Commissioner of the Kentucky Department of Veterans Affairs (KDVA), and Silas Session, Executive Director of the KDVA, delivered a presentation on the prevention of veteran suicide. They displayed statistics on suicide and shared data from Kentucky's Community Mental Health Centers.

Mr. Renaud highlighted his and Dr. Session's work as part of the Governor's Challenge Team for suicide prevention, detailing the short and long-term goals of the program.

Responding to a question from Senator Berg, Mr. Renaud said that his statistics focused on suicide among veterans, not the general population.

Responding to a question from Representative Dietz, Mr. Renaud said that KDVA's attorney is exploring ways to involve veterans' families more actively in suicide prevention efforts.

Responding to a question from Senator Williams, Mr. Renaud explained the statistics on suicide among veterans treated at a Community Mental Health Center.

Senator Higdon praised the work of KDVA.

Representative Sharp praised the work of KDVA and asked what might explain the difference in the rate of suicide among members of the National Guard compared to active-duty soldiers. Dr. Session said that the study he referenced for the suicide rates did not attempt to explain why the National Guard rate is higher.

Representative Bratcher spoke about some of the challenges of serving in the National Guard.

Senator Boswell requested data on veteran suicide as compared to the general population, and asked about the federal government's role in suicide prevention. Mr. Renaud praised the efforts by the federal government to address veteran suicide, but emphasized the need for state level programs and organizations.

Brigadier General (Ret.) Steve Bullard, Executive Director of the Kentucky Commission on Military Affairs, joined the testimony table. General Bullard said that the sudden shift from combat back to civilian life can be particularly challenging for members of the National Guard, who are often expected to return to their daily lives immediately.

Responding to a question from Senator Deneen, Mr. Renaud said that while KDVA cannot tell veteran care clinics how to operate, they communicate with the clinics to better understand how to improve the care process.

Responding to a question from Representative Stalker, Mr. Renaud said that members of the National Guard often have a more difficult time reintegrating after returning from a mission, as they can miss out on reintegration programs available to other servicemembers. Dr. Session emphasized the importance of federal reintegration efforts for returning soldiers.

Responding to a question from Senator Berg, Dr. Session spoke about the healthcare coverage available to veterans who retire as compared to veterans who exit the military without retiring.

USA Cares

Matt Castor, Vice President of Government and Corporate Relations for USA Cares, and Bill Dieruf, Board Member of USA Cares, delivered a presentation on their organization's work. USA Cares works with veterans and their families to mitigate factors that contribute to suicide. They help veterans with rent, car payments, employment,

education, and other issues.

Responding to a question from Representative Bojanowski, Mr. Castor said that USA Cares employs a team of case managers who assess each veteran's situation.

Representative Raymer praised the work of USA Cares.

Senator Harper Angel said that it would be helpful to know USA Cares' budget request as the biannual budget is crafted during the next legislative session.

Representative Johnson praised the work of USA Cares.

Responding to a question from Representative Tackett Laferty, Mr. Dieruf said that Kentucky does not have a tax exemption for veterans' primary residence.

Responding to questions from Representative Stalker, Mr. Castor provided an overview of USA Cares' process for assisting veterans and the organization's budgetary needs.

Project Diehard

Brian Gibson, Founder and President of Project Diehard, discussed his organization's work on behalf of veterans. He covered some of the statistics surrounding veteran suicide and shared his personal story. Projected Diehard has begun construction of Forward Operating Base Rush, located in Illinois, to use as an installation to house veterans and help them rest and recover. They also have plans to construct an additional installation in Kentucky, called Fort Hope.

Disabled American Veterans

Michael Stoyonovich of Disabled American Veterans (Department of Kentucky), and Larry Arnett, Legislative Liaison for the Joint Executive Council of Veterans Organizations, discussed efforts to prevent veteran suicide. Mr. Stoyonovich explained a piece of model legislation that he drafted and hopes to see passed in the 2024 Regular Session.

Representative Stevenson emphasized the importance of following through on legislation to support veterans.

Check A Vet

Michael Carmichael, Founder, President, and Chief Executive Officer of Check A Vet, delivered a presentation on his organization's work to prevent veteran suicide. He covered demographic statistics on veteran suicide and shared videos produced by Check A Vet. Mr. Carmichael shared his call to action, which includes education, attention, and a team-based approach to suicide prevention.

Responding to a question from Representative Tackett Laferty, Mr. Carmichael said that Check A Vet works with local veterans' service organizations.

The committee took no action on the referred Administrative Regulation, 017 KAR 003:020.

With no further business before the committee, the meeting adjourned at 1:20 PM. The next meeting of the Interim Joint Committee on Veterans, Military Affairs, and Public Protection is scheduled for Tuesday, July 25, 2023, at 11:00 AM.

2023 Interim
**LEGISLATIVE
RECORD**

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2023 Interim

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