

FREE CONFERENCE COMMITTEE REPORT

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The Free Conference Committee on **HB 405** has met as provided in the Rules of the House and Senate and hereby reports the following to be adopted:

_____ GA X SCS _____ HCS

For the above-referenced bill, with these amendments (if applicable):

Committee (list by chamber and number): _____;

Floor (list by chamber and number): _____; and

The following Free Conference Committee action:

On page 1, line 3, through page 17, line 13, by deleting the text and inserting in lieu thereof:

"➔Section 1. There is appropriated out of the general fund, federal funds, and the transportation fund in the State Treasury for the purpose of compensating persons and companies named below for claims which have been duly audited and approved according to law, but have not been paid because of lapsing or insufficiency of former appropriations against which the claims were chargeable, or the lack of an appropriate procurement document in place, the amounts listed below:

Andy Frain Services, Inc.

761 Shoreline Drive

Aurora, IL 60504-6194

\$28,056.00

Diamond Landscapes, Inc.

PO Box 650755

Dallas, TX 75265-0755

\$2,530.18

Eastern Kentucky University Student Accounting Services

ATTN: Neil Lindon

Whitlock CPO 60

1	521 Lancaster Avenue	
2	Richmond, KY 40475-3100	\$11,607.42
3	Embry Merritt Shaffar Womack, PLLC	
4	62 Public Square	
5	Leitchfield, KY 42754-1104	\$1,775.00
6	Gaming Laboratories International, LLC	
7	600 Airport Road	
8	Lakewood, NJ 08701-5995	\$2,100.00
9	Improving – Atlanta	
10	Innovative Architects, LLC	
11	5445 Legacy Drive, Suite 100	
12	Plano, TX 75024	\$20,100.00
13	Jarvis Food Equipment	
14	Attn: Chris Jarvis	
15	2195 Commercial Court	
16	Evansville, IN 47720-1324	\$19,557.79
17	Johnson Bearse, LLP	
18	326 West Main Street	
19	Frankfort, KY 40601-1851	\$3,498.80
20	KVC Behavioral Healthcare of Kentucky	
21	2250 Thunderstick Drive, Suite 1104	
22	Lexington, KY 40505-9009	\$10,233.96
23	Marvin and McCrary Forensic Evaluation Services	
24	323 West Broadway #903	
25	Louisville, KY 40202-4602	\$424.00
26	Material Transfer	
27	15415 Shelbyville Road	

1	Louisville, KY 40245	\$26,000.00
2	Murray State University Breathitt Veterinary Center	
3	PO Box 2000	
4	101 MSU Drive	
5	Hopkinsville, KY 42241-2000	\$4,080.17
6	National Center for Families Learning, Inc.	
7	325 West Main Street, Suite 300	
8	Louisville, KY 40202-4251	\$69,507.41
9	Sani-Tech JetVac Services	
10	PO Box 74028	
11	Cleveland, OH 44194-4028	\$32,316.90
12	Sedgwick Claims Management Services Inc.	
13	2897 Momentum Place	
14	Chicago, IL 60689-5328	\$63,817.87
15	The Animal Clinic, P.S.C.	
16	201 North Main Street	
17	Lawrenceburg, KY 40342-1015	\$294.62
18	University of Pittsburgh	
19	ATTN: 371220	
20	500 Ross Street, 154-0455	
21	Pittsburgh, PA 15262-0001	\$123,975.00
22	University of Tennessee	
23	Institute of Agriculture	
24	ATTN: Angela Braden	
25	103 Morgan Hall	
26	Knoxville, TN 37996-4506	\$29,813.86
27	Veterinary Associates Stonefield	

1	203 Moser Road	
2	Louisville, KY 40223-3113	\$645.95
3	Wyatt, Tarrant, and Combs, LLP	
4	400 West Market Street, Suite 2000	
5	Louisville, KY 40202-3227	\$11,082.50
6	➔Section 2. The claims listed in this section are for the payment of State Treasury checks	
7	payable to the persons or their personal representatives, and the firms listed, but not presented for	
8	payment within a period of five (5) years from the date of issuance of such checks as required by	
9	KRS 41.370 and 413.120:	
10	Check #TA 16722669 dated April 21, 2015	
11	Prerana P. Aghamkar	
12	AKA Prerana P. Williamson	
13	8321 Cherry Creek Drive	
14	Centerville, OH 45458-3210	\$173.00
15	Check #T1 13959758 dated April 27, 2010	
16	Eram Ahmed	
17	464 Bates Road	
18	Elizabethtown, KY 42701-9558	\$160.00
19	Check #T1 11711109 dated May 21, 2007	
20	Mediha Ahmed	
21	464 Bates Road	
22	Elizabethtown, KY 42701-9558	\$373.00
23	Check #T1 13303689 dated April 29, 2009	
24	Mediha Ahmed	
25	464 Bates Road	
26	Elizabethtown, KY 42701-9558	\$77.00
27	Check #T1 9288245 dated May 15, 2001	

1	Saeed and K Ahmed	
2	464 Bates Road	
3	Elizabethtown, KY 42701-9558	\$540.00
4	Check #T1 11722592 dated May 25, 2007	
5	Sana Ahmed	
6	464 Bates Road	
7	Elizabethtown, KY 42701-9558	\$100.00
8	Check #T1 13320260 dated May 4, 2009	
9	Sana Ahmed	
10	464 Bates Road	
11	Elizabethtown, KY 42701-9558	\$8.00
12	Check #TA 15711981 dated May 8, 2013	
13	Sana Ahmed	
14	464 Bates Road	
15	Elizabethtown, KY 42701-9558	\$207.00
16	Check #TA 16740517 dated April 22, 2015	
17	Anthony T Austin	
18	1202 Kentucky Street, Apt. 2	
19	Bowling Green, KY 42101	\$175.00
20	Check #T1 13195584 dated April 15, 2009	
21	Vincent and Rita Baker	
22	126 Blanton Lane	
23	London, KY 40741-9294	\$626.00
24	Check #TA 16064054 dated March 25, 2014	
25	Marsha G Black	
26	2107 Dover Court	
27	Winchester, KY 40391-1045	\$202.00

1	Check #RA 12145760 dated November 27, 2013	
2	Barbara K Braun	
3	Attn: Beate Lynn, KTRS	
4	479 Versailles Road	
5	Frankfort, KY 40601-3868	\$1,869.84
6	Check # TA 15200049 dated May 15, 2012	
7	Lois A Bringham	
8	8612 Holston Road	
9	Louisville, KY 40222-5318	\$399.00
10	Check #T1 12102806 dated February 22, 2008	
11	Phillip L and S Crawford	
12	2188 Willow Neave Road	
13	Brooksville, KY 41004-8778	\$662.00
14	Check # P1 1332737 dated December 20, 1993	
15	Mary Cull	
16	c/o Golf Villas @ Duckers	
17	116 Hogan Drive	
18	Frankfort, KY 40601-8107	\$716.19
19	Check #T1 1776562 dated May 2, 2003	
20	Jerry W Duvall	
21	354 El Conquistador Place	
22	Louisville, KY 40220-2023	\$217.00
23	Check #L1 11080593 dated February 2, 2007	
24	John Fender	
25	Labor Redeposit	
26	Kentucky State Treasury	
27	Frankfort, KY 40601	\$62.50

1	Check #GA 18400881 dated September 11, 2013	
2	Tabitha Grimes	
3	Attn: Lisa Wise-Hodnett, CHFS DCBS DAFM	
4	455 Park Place, Suite 120A	
5	Lexington, KY 40511-1881	\$250.00
6	Check #GA 18473697 dated October 9, 2013	
7	Vanessa Hunt	
8	Attn: Lisa Wise-Hodnett, CHFS DCBS DAFM	
9	455 Park Place, Suite 120A	
10	Lexington, KY 40511-1881	\$250.00
11	Check #E1 2087113 dated September 22, 2004	
12	Traore Issake	
13	429 Lenox Avenue, Apt 22	
14	New York, NY 10037-3534	\$202.00
15	Check #TA 15729175 dated May 10, 2013	
16	Timothy and D Kopp	
17	1431 Corydon Pike	
18	New Albany, IN 47150-6025	\$1,768.00
19	Check #EA 11721311 dated March 18, 2015	
20	James D Lawson	
21	5321 Haventree Place	
22	Louisville, KY 40229-2259	\$336.60
23	Check #GA 18386545 September 4, 2013	
24	Gaylen Logan	
25	Attn: Lisa Wise-Hodnett, CHFS DCBS DAFM	
26	455 Park Place, Suite 120A	
27	Lexington, KY 40511-1881	\$250.00

1	Check #GA 17494706 dated September 10, 2012	
2	Kacie Miller	
3	Attn: Lisa Wise-Hodnett, CHFS DCBS DAFM	
4	455 Park Place, Suite 120A	
5	Lexington, KY 40511-1881	\$250.00
6	Check #GA 19601320 dated February 20, 2015	
7	Ronald D Miller	
8	Labor Redeposit	
9	Kentucky State Treasury	
10	Frankfort, KY 40601	\$538.08
11	Check #TA 15631062 dated April 17, 2013	
12	K and P J Monroe	
13	512 West 15th Street	
14	Owensboro, KY 42301-3610	\$581.00
15	Check #TA 16186746 dated April 21, 2014	
16	K and P J Monroe	
17	512 West 15th Street	
18	Owensboro, KY 42301-3610	\$322.00
19	Check #E1 11206999 dated December 18, 2008	
20	Stephen R and M Page	
21	3805 Ashridge Drive	
22	Louisville, KY 40241-1652	\$79.27
23	Check #TA 15192155 dated May 14, 2012	
24	Terry and Claudia Pearson	
25	5413 State Route 97	
26	Mayfield, KY 42066-7349	\$145.00
27	Check #T1 2733024 dated May 3, 2004	

1	Darrell W and C Reffett	
2	115 Wolf Creek Crossing Road	
3	Nancy, KY 42544-6638	\$583.00
4	Check #BA 11093265 dated May 14, 2012	
5	Sams East Inc	
6	Attn: Cheryl Ryan, Unclaimed Property MS-0655	
7	PO Box 8032	
8	Bentonville, AR 72712-3332	\$781.33
9	Check #T1 14623931 dated May 23, 2011	
10	Ryan V Sanurwin	
11	1252 Telluride Circle	
12	Lexington, KY 40509-2394	\$93.00
13	Check #CA 12618871 dated October 14, 2014	
14	Addison Scarry	
15	C/O Martha Metts	
16	914 Rosemary Drive	
17	Louisville, KY 40213-1118	\$274.66
18	Check #TA 16143228 dated April 14, 2014	
19	Richard G (Dec'd) and Marsha Segal	
20	6509 Sedgwicke Drive	
21	Prospect, KY 40059-8803	\$827.00
22	Check #G 4854200 dated December 21, 1977	
23	Charles B Severs PSC	
24	117 Chanteclair Circle	
25	Gulf Breeze, FL 32561-4061	\$670.80
26	Check #GA 19982406 dated July 24, 2015	
27	Daniel Smith	

1	PO Box 158	
2	Memphis, IN 47143-0158	\$117.33
3	Check #TA 15891045 dated February 12, 2014	
4	Seth C Stearns	
5	591 Middle Fork Indian Creek Road	
6	Albany, KY 42602-8933	\$135.00
7	Check #CA 12583829 dated March 4, 2014	
8	Estate of Russell Stephens	
9	C/O Brook R Stephens Exe	
10	Attn: Lisa Hilton, KRS	
11	Frankfort, KY 40601-6157	\$5,000.00
12	Check #T1 13273406 dated April 24, 2009	
13	James A Taylor	
14	14451 Livingston Lane	
15	Carmel, IN 46074-5846	\$274.00
16	Check #G1 16117463 dated May 4, 2011	
17	Dennis Thomas	
18	2827 Dodd Road	
19	Murray, KY 42071-6821	\$65.00
20	Check #TA 16383434 dated February 12, 2015	
21	Rodney B and A LW Travis	
22	100 Providence Road	
23	Providence, KY 42450-5161	\$192.00
24	Check #BA 11124675 dated January 6, 2015	
25	Walmart Stores East LP	
26	Attn: Cheryl Ryan, Unclaimed Property MS-0655	
27	PO Box 8032	

1	Bentonville, AR 72712-3332	\$66.13
2	Check #BA 11124676 dated January 6, 2015	
3	Walmart Stores East LP	
4	Attn: Cheryl Ryan, Unclaimed Property MS-0655	
5	PO Box 8032	
6	Bentonville, AR 72712-3332	\$144.05
7	Check #BA 11124677 dated January 6, 2015	
8	Walmart Stores East LP	
9	Attn: Cheryl Ryan, Unclaimed Property MS-0655	
10	PO Box 8032	
11	Bentonville, AR 72712-3332	\$938.93
12	Check #T 6670647 dated April 20, 1999	
13	Winset and L Webb	
14	1702 Pleasureville Road	
15	Pleasureville, KY 40057-6009	\$444.00
16	Check #GA 19464632 dated December 11, 2014	
17	Loreta K Westfield Estate	
18	C/O Wilma Clayborn (Executrix)	
19	6206 Leisure Lane	
20	Louisville, KY 40229-1684	\$2,377.40
21	Check #TA 16729775 dated April 22, 2015	
22	Joshua Williamson	
23	515 Willow Stone Way	
24	Louisville, KY 40223-5570	\$63.00
25	Check #T1 4599204 dated June 13, 2006	
26	Cynthia M Witzer	
27	2200 North Fort Thomas Avenue	

1 Fort Thomas, KY 41075-1024 \$2,874.00

2 ➔Section 3. The Finance and Administration Cabinet and the State Treasurer are
3 authorized to pay the following listed claims from the following funds:

4 (1) The Kentucky Retirement Systems is authorized to make payment from their retirement
5 fund for State Treasury checks payable to the persons or their personal representatives but
6 not presented for payment within a period of five (5) years from the date of issuance of
7 such checks, the sum hereinafter specified:

8 Check #KA 12361525 dated July 12, 2013

9 Sanders Swan

10 Attn: Rachel Young, KRS

11 1260 Louisville Road

12 Frankfort, KY 40601-6157 \$880.17

13 ➔Section 4. Whereas the persons and companies named above have furnished in good
14 faith services, supplies, and materials and the Commonwealth has received the same, an
15 emergency is declared to exist, and this Act takes effect upon its passage and approval by the
16 Governor or upon its otherwise becoming a law.

17 ➔Section 5. **Office of Attorney General Additional Personnel:** There is hereby
18 appropriated General Fund moneys in the amount of \$1,500,000, Restricted Fund moneys in the
19 amount of \$1,500,000, and Federal Fund moneys in the amount of \$1,000,000 in fiscal year
20 2021-2022 to the Office of the Attorney General for additional personnel.

21 ➔Section 6. **Forensic Laboratory Personnel:** There is hereby appropriated General
22 Fund moneys in the amount of \$1,754,400 in fiscal year 2021-2022 to the Department of
23 Kentucky State Police to convert forensic laboratory personnel to a 40-hour work week.

24 ➔Section 7. **Prevention Services:** There is hereby appropriated General Fund moneys in
25 the amount of \$20,000,000 in fiscal year 2021-2022 to the Department for Community Based
26 Services to support prevention services for families. The Department shall use these funds to
27 expand prevention services and shall apply for any and all potential federal match dollars made

1 available through the American Rescue Plan Act of 2021 (H.R. 1319) or other federal funding
2 relating to family prevention services. Any matching funds shall be used in conjunction with the
3 expansion of the Department's prevention services programs. Notwithstanding KRS 45.229, any
4 portion of General Fund not expended for this purpose shall lapse to the Budget Reserve Trust
5 Fund Account (KRS 48.705).

6 ➔Section 8. (1) There is hereby appropriated Federal Funds in the amount of
7 \$37,000,000 in fiscal year 2021-2022 to the Justice Administration budget unit to provide grants
8 to entities to detect, diagnose, trace, and monitor SARS-CoV-2 and COVID-19 infections in
9 congregate and vulnerable population settings. Priority for Federal Funds grant awards shall be
10 given to agencies engaged in cooperative agreements or contracts with Commonwealth's
11 Attorneys in individual Judicial Circuits to specifically address alternative sentencing and
12 diversionary programs for census reduction in congregate settings including, but not limited to
13 prisons, jails, detention centers, and reentry facilities. Grant awards shall focus on providing
14 technical assistance, guidance, and support. The Secretary of the Justice and Public Safety
15 Cabinet shall award grants, contracts, or cooperative agreements to state, local, territorial, and
16 Tribal public health departments for activities to detect, diagnose, trace, monitor, and report on
17 SARS-CoV-2 and COVID-19 infections and related strategies and activities to mitigate the
18 spread of SARS-CoV-2, in congregate or vulnerable population settings.

19 (2) The Secretary shall develop performance outcome measures to which recipients of the
20 funds in subsection (1) of this section shall adhere. The Secretary shall submit a report to the
21 Interim Joint Committee on Appropriations and Revenue by December 31, 2021, and June 30,
22 2022. The report shall detail which entities received funding, identify the amount of funds
23 awarded to each entity, summarize each entity's use of funds, and summarize each entity's
24 performance.

25 ➔Section 9. **State of Emergency Assistance Fund:** Notwithstanding KRS 157.611 to
26 157.665 or any other statute to the contrary, there is hereby appropriated General Fund moneys in
27 the amount of \$10,000,000 in fiscal year 2021-2022 to the School Facilities Construction

1 Commission to assist local school districts with costs for construction, repair, or renovation of
2 facilities destroyed or severely damaged by a flood or heavy rainfall.

3 A local district shall be eligible to receive funds if the district is located in a county that
4 was included in the Governor's state of emergency declared on February 28, 2021. Funds shall
5 only be disbursed if a local district has fully expended all FEMA or insurance proceeds receive,
6 and the proceeds were not sufficient to fully support the costs to construct, repair, or renovate the
7 facilities. If the funds appropriated are not sufficient to fully support the costs to construct, repair,
8 or renovate, the School Facilities Construction Commission is authorized to pro rata reduce the
9 funds disbursed to each district.

10 The School Facilities Construction Commission shall develop the timeline for districts to
11 request funds. The funds shall be disbursed to local district no later than October 1, 2021.

12 ➔Section 10. **Office of the Attorney General:** There is hereby appropriated Federal
13 Fund moneys in the amount of \$2,000,000 in fiscal year 2021-2022 to the Office of the Attorney
14 General for grants to be awarded to the Office of the Attorney General from the state's allocation
15 of funding from the American Rescue Plan Act of 2021 (H.R. 1319) for the Coronavirus State
16 and Local Fiscal Recovery Funds to be used to investigate, prosecute, or otherwise pursue
17 appropriate remedies in connection with COVID related schemes, fraud, violations of consumer
18 protection statutes, fraudulent unemployment insurance benefit claims, cybercrimes, online
19 threats, human trafficking, child abuse, and other related activity.

20 ➔Section 11. **America Rescue Plan Act:** Notwithstanding KRS 45.229, in the event that
21 any Federal Funds received from the American Rescue Plan Act of 2021 (H.R. 1319) are allotted,
22 expended, or appropriated without the express authority of the General Assembly, General Fund
23 moneys in the amount of \$902,200 in fiscal year 2021-2022 under the Office of State Budget
24 Director budget unit shall be forfeited and shall lapse to the Budget Reserve Trust Fund Account
25 (KRS 48.705).

26 ➔Section 12. **Proprietary Education:** There is hereby appropriated Restricted Fund
27 moneys in the amount of \$133,000 in fiscal year 2021-2022 to the Proprietary Education budget

1 unit.

2 →Section 13. **Substance Abuse, Mental Health, and Reentry Service Centers:** (1)

3 Notwithstanding any statute to the contrary, beginning in fiscal year 2022-2023, the
4 Department of Corrections shall pay each contracted provider of substance abuse, mental health,
5 and reentry centers a minimum of 65 percent of the contracted beds monthly. Any contracted, but
6 unfilled contracted beds as of the date of this Act may, at the discretion of the provider, be
7 terminated.

8 (2) Each contracted provider, as provided for in subsection (1) of this section, shall report
9 100 percent of their occupancy to the Department of Corrections. The report shall detail the total
10 number of beds, the number of beds available, the type of individual occupying bed space, and
11 shall be submitted in a method and at a frequency established by the Department's discretion.

12 (3) Notwithstanding any statute to the contrary, the Department of Corrections shall be
13 permitted to negotiate an inflationary price increase for contracted providers of substance abuse,
14 mental health, and reentry centers during the COVID-19 state of emergency.

15 →Section 14. **Reimbursement Rate Increase:** There is hereby appropriated General
16 Fund moneys in the amount of \$12,000,000 in fiscal year 2021-2022 to the Department for
17 Community Based Services to provide a \$2 per child increase in the Child Care Assistance
18 Program provider reimbursement rate.

19 →Section 15. By November 1, 2021, the Kentucky Department of Education shall submit
20 a report to the Legislative Research Commission and the School Funding Task Force with
21 options on how to ensure the equitable transfer of education funds so that funds follow a
22 nonresident student to a school district of enrollment from a school district of residence. The
23 report shall include recommendations on how the amount should be calculated and what
24 mechanism should be used to conduct the transfer.

25 →Section 16. (1) The Legislative Research Commission is hereby directed to establish
26 the School Funding Task Force to:

27 (a) Review the entirety of the current of K-12 funding mechanism, including but not

1 limited to the fund for the Support Education Excellence in Kentucky (SEEK) program, other
2 state funds directed for the operation of the state's public school system, local revenues raised by
3 school districts, and federal funds;

4 (b) Review publications, reports, and analyses of the current funding mechanism,
5 including but not limited to a report from the Office of Education Accountability on the SEEK
6 fund that was approved in the office's 2021 research agenda;

7 (c) Review the report from the Kentucky Department of Education submitted under
8 Section 15 of this Act;

9 (d) Review how Kentucky's school funding mechanism compares with mechanisms
10 developed by other states; and

11 (e) Develop and submit any recommendations and changes the task force may adopt
12 relating to the SEEK fund to ensure the equitable and efficient funding of Kentucky's common
13 schools to the Legislative Research Commission by December 1, 2021.

14 (2) The School Funding Task Force shall be composed of the following members, with
15 final membership of the task force being subject to the consideration and approval of the
16 Legislative Research Commission:

17 (a) Two members of the House of Representatives to be appointed by the Speaker of the
18 House, one of whom shall be designated to serve as co-chair;

19 (b) Two members of the Senate to be appointed by the President of the Senate, one of
20 whom shall be designated to serve as co-chair;

21 (c) One member of the House of Representatives to be appointed by the Minority Floor
22 Leader of the House;

23 (d) One member of the Senate to be appointed by the Minority Floor Leader of the
24 Senate;

25 (e) The commissioner of the Kentucky Department of Education or designee;

26 (f) Three school superintendents, one of whom shall be superintendent of an independent
27 school district, submitted by the president of the Kentucky Association of School

1 Superintendents; and

2 (g) Three local school board members, submitted by the executive director of the
3 Kentucky School Boards Association.

4 (3) Provisions of this section to the contrary notwithstanding, the Legislative Research
5 Commission shall have the authority to alternatively assign the issues identified herein to an
6 interim joint committee or subcommittee thereof, and to designate a study completion date.

7 ➔Section 17. Section 16 of this Act shall have the same legal status as a House
8 Concurrent Resolution.

9 ➔Section 18. The provisions of the State/Executive Branch Budget, 2021 Regular
10 Session HB 192/EN, are amended to read as follows:

11 On page 80, delete lines 14 through 18 in their entirety;

12 Beginning on page 80, line 24, through page 81, line 6, delete language in its entirety; and

13 On page 81, line 7, delete "(10)" and insert "(9)" in lieu thereof."; and

14 amend the title to read: "AN ACT relating to appropriations and declaring an emergency."
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Senate Members

House Members

Christian McDaniel

Ashley Tackett Laferty

Damo Thayer

Brandon Reed

Danny Carroll

Jason Petrie

Matt Castlen

Morgan McGarvey

The above-named members, in separate votes by house, all concur in the provisions of this report.

DATE

March 16, 2021

For Clerk's Use:

Adopted: _____

Repassage Vote: _____