

Legislative Update from Senator Storm



The final two days of this year's 30-day legislative session required burning the midnight oil. Before adjourning sine die, the legislative process also required a lot of "hurry up and wait." However, I did enjoy the brief windows of opportunity to enjoy the pleasant weather on my trips from my legislative office to the Senate Chamber in the Capitol. After a rough stretch of weather, I hope you were able to enjoy some of the sunshine and warmth as well. As I departed from the Capitol in the early morning hours of Wednesday, March 31, I left with a sense of pride and was pleased with what the General Assembly was able to accomplish. It has been a special experience to represent you in my first term as your State Senator of the 21st District.

Much of the work on the final two days of the session was considering overriding vetoes that the Governor issued. By the conclusion of the 2021 Session at 11:47 pm on Tuesday, March 30, the legislature successfully overrode over two dozen of the Governor's vetoes. I want to highlight a number of those in this week's legislative update and share with you some information on the appropriation of funding for some exciting initiatives that will make Kentucky stronger.

First, I am proud that the Senate voted to override the Governor's veto of Senate Bill (SB) 251, which I sponsored. SB 251 reorganized the Office of the Kentucky Attorney General. It allows the Attorney General to bring an action challenging the constitutionality of Kentucky's laws, orders, or regulations in any county where the alleged constitutional harm has occurred. Currently, all challenges to state law are required to go through the Franklin Circuit Court simply because the seat of state government is physically located in Franklin County. This essentially makes a super circuit where only two judges preside over matters that impact the entire state. There are plenty of qualified judges and circuits across the state that are perfectly capable of hearing these cases. SB 251 will help remedy those concerns and prioritize the citizens' rights over the state's convenience.

Other veto overrides included the following measures:

SB 11 provides recourse for property owners to pursue legal action for intentional damages done to rental property by classifying it as criminal mischief. The General Assembly overrode the Governor's veto because landlords need the ability to remedy a situation where a tenant has intentionally and purposefully damaged rental property. Currently, only civil action can be taken when a problem arises. This bill also establishes a means for property owners to know the rental history of applicants.

SB 65 nullifies specific administrative regulations that the legislature found deficient. Most notably, it advocates for children and their custodial parents by holding noncustodial parents who are delinquent in their court-ordered child support accountable. The Cabinet for Health and Family Services (CHFS) enacted a regulation that issued Supplemental Nutrition Assistance Program (SNAP) benefits (formerly known as food stamps) to noncustodial parents who were not providing for their own children. The legislature found that unacceptable and declared the regulation deficient. This legislation ends that troublesome regulation. A recent informational release from the Jefferson County Attorney's Office shows that over 3,400 people in that county alone owe more than \$3,000 in child support. The list equates to over \$89 million in missing payments. In 2018, over 100,000 single-parent families were receiving SNAP benefits in Kentucky. Of these families, only 21% received any child support payments. Other states have incorporated child support compliance into their SNAP eligibility requirements with little to no additional administrative costs. For example, Kansas increased its child support collections by nearly 40% when implementing a similar policy.

SB 148 declares the essential nature of child care centers. It addresses the overly burdensome regulatory requirements that CHFS placed on Kentucky's child care centers over the past year. As Kentucky overcomes the pandemic, we need to support our child care centers in a way that keeps children safe while providing them the opportunity to sustain their centers during a pandemic. There are child care deserts throughout Kentucky, and we need to support policies that allow our centers to thrive and expand — rather than overregulating them out of business.

SB 165 aims to improve government transparency and accountability by providing the Kentucky State Treasurer with the ability to approve, revise, or deny state contracts if the legislative Government Contract and Review Committee finds them questionable. There have been several concerning contracts over the years. This bill respects taxpayer dollars and puts in place better oversight to assure the legitimacy of state contracts.

Other legislative veto overrides can be found by visiting legislature.ky.gov.

A bill that made final passage that is not subject to the Governor's veto is House Bill (HB) 91, a constitutional amendment that will now be proposed to Kentucky voters on the 2022 November election ballot. If supported by a majority of Kentucky voters, the amendment would add a new section to the Constitution of Kentucky stating that our constitution does not secure or protect the right to abortion or funding of abortion. HB 91 makes sure a rogue court does not disenfranchise Kentucky and that it is the General Assembly that makes the law concerning the lives of our most vulnerable citizen, the unborn human child. I encourage your support of this constitutional amendment when you cast your vote next year.

There were additional bills that passed that were not veto overrides. Those bills will be subject to the Governor's veto, and the legislature will not be afforded the opportunity to override them as we did the bills previously mentioned. I will detail some of those bills in a later legislative update after seeing which ones stand following the Governor's vetoes. I anticipate the Governor will support many of them, including bills passed to include appropriation of funds.

On that note, I have significant updates to provide you. The general assembly approved multiple beneficial appropriations in the final two days of the session. Some of this is the result of funding provided through the American Rescue Plan Act (ARPA) of 2021. It took some time to get information on the ways the state is authorized to allocate these funds. Fortunately, we were able to appropriate around \$1.3 billion of those funds before the session's close. New expenditures in the state budget, perhaps most notably, included \$140 million to fund all-day kindergarten. This funding demonstrates the General Assembly's commitment to education. What it also proves is that the legislature's willingness to work with the Governor's administration.

You may be thinking, "students are already attending all-day kindergarten."

You are correct. Currently, school districts have managed to fund all-day kindergarten with the appropriations provided. This \$140 million will help cover those costs and could open up available funds for the school districts to utilize in other ways. Early childhood education is of great importance, which is a good step toward improvement in that area. On a related note, \$127 million in ARPA funds has been allocated to the School Facilities Construction Commission to help urgent need schools. \$75 million from the general fund is going to the local vocational education centers' construction pool.

Lawmakers approved \$300 million for broadband expansion. \$50 million of this will be utilized almost immediately for economic development projects. Along with this allocation, the legislature put in place safety and oversight mechanisms. Some were Public Service Commission oversight of performance levels, Distribution Cooperatives to participate in the broadband funding, and parameters for how this funding must be used for unserved and underserved areas.

Furthermore, \$20 million was appropriated for rural hospitals revolving loan funds. Following feedback from local officials, nearly \$6 million has been allocated for a \$2 per diem COVID cost for our county jails. \$30 million has been provided for the county jail performance pilot program. \$50 million has been directed for grants to provide drinking water to areas in need, with an additional near \$50 million for grants to counties with greater costs than the allocation provided.

Speaking of grants, I was pleased to share news recently that London/Laurel County is the recipient of some funds, including nearly \$100,000 from the Land and Water Conservation Fund (LWCF) to purchase playground equipment and a sensory maze at Levi Jackson Wilderness Road Park. The London/Laurel county E-911 Communications Center will also receive nearly \$25,000 from the 911 Services Board Grant Award that will be used to improve the framework of the communication system. LWCF money to the sum of \$170,000 has been awarded to Menifee County for improvements at the High School Athletic Field to meet Kentucky High School Athletic Association standards. Finally, the City of Ravenna in Estill County will receive almost \$82,000 to upgrade to local amenities.

The state's Unemployment Insurance (UI) crisis remains at the forefront of our attention, especially those Kentuckians who have yet to receive their much-needed UI benefits. To help our small businesses facing a substantial UI rate increase, the General Assembly chose to utilize \$575 million in ARPA funding as loan repayment for the more than \$800 million loan the Governor took from the federal government.

Millions in funding were also provided for hiring additional personnel as well.

I am happy to say that SB 131 and SB 215, two reorganization bills that I sponsored, made final passage and are on the Governor's desk for consideration. SB 131 moves the Motorcycle Safety Education Commission from the Justice and Public Safety Cabinet to the Transportation Cabinet. In the end, it included other measures such as establishing studies of county attorney traffic programs. SB 215 establishes the Secretary Office of Safety within the Kentucky Transportation Cabinet. Bill language was also added that renames the Louie B. Nunn Cumberland Parkway the Louie B. Nunn Expressway. This difference in classification plays a role in what federal funding Kentucky can qualify for. The bill also included a measure that establishes a pilot program to allow off-highway vehicles to use certain parts of state routes. This initiative hopes to promote and improve adventure tourism in our region. Finally, included in the bill was language to help out our coal industry by temporarily suspending fines and citation enforcement of coal haulers that exceed weight limits. I appreciate the support of my colleagues in getting these bills and others across the finish line.

We received good news from the federal government late last week that the President approved Kentucky's federal disaster declaration following the severe ice storms that impacted parts of Kentucky earlier this year. It appears that all counties in the 21st District are eligible. According to the federal government's announcement, money will be available to local governments and certain private nonprofit organizations on a cost-sharing basis for emergency work and repair or replacement of damaged facilities.

In closing, I was proud to recognize on the Senate Floor the incredible efforts of Jackson County Officials such as Judge Executive Shane Gabbard and Emergency Management Director Jamie Strong for their quality response to recent weather disasters in the county. They do great work, are responsive to Jackson County's needs, and take advantage of every opportunity available to make it stronger. Thank you to all local officials and first responders for your valiant efforts.

It is a true honor to represent Laurel, Jackson, Estill, Powell, Menifee, and Bath Counties in the Kentucky State Senate. If you have any questions about these public policy issues or any other matter of importance to you, do not hesitate to contact my office toll-free by calling 502-564-8100. You can also email me at brandon.storm@lrc.ky.gov. Stay safe. God bless.

Legislative Update From Representative Goforth

House overrides Governor's vetoes, passes election reform and important appropriations



During the 2020 election cycle, Kentuckians signaled loud and clear when they elected a Republican supermajority of 75 and 30. This week as we concluded the 2021 legislative session, we worked diligently to fulfill the will of our constituents and exercise our authority as the chief lawmaking body.

The last two days of session we worked to override several bills previously vetoed by the Governor, concurred on legislation, and passed new legislation. During this time, we considered the Governor's veto messages and heard from stakeholders. One veto we chose not to override is SB 63, which requires that no voting system be connected to the internet, and requires all votes to be cast on paper ballots and marked with a pen. While we agree this bill is a step towards increased confidence in the integrity of Kentucky elections, after hearing input from county clerks and other stake holders, we found some unintended consequences. Luckily, we don't have an election this year, so this is a measure we can revisit next session just in time for the next election cycle.

As you know, COVID-19 changed everything from how our kids attend school, how we grocery shop, and even how we participated in the 2020 election. COVID-19 produced many obstacles regarding the 2020 general election and required local officials to adapt to the unprecedented public health risk. County officials took every obstacle in stride and as a result, in Kentucky we had a successful, safe and fair election.

HB 574 retains some of the emergency procedures used during the 2020 general election cycle and builds on safeguards to maintain election integrity. This includes early in-person voting, which was widely popular during the general election. This provision is a great way to maintain flexibility for people who work on Election Day, but still value voting in-person. For those that prefer voting by absentee, this bill makes the process safer by mandating the use of monitored drop boxes.

While HB 574 retains these popular procedures used in the 2020 election, it also provides safeguards to ensure election integrity. This measure removes the Governor's ability to declare different election procedures during a state of emergency by executive order, and prohibits ballot harvesting by barring people from collecting mail-in absentee ballots. It also requires the state Board of Elections to remove a voter from the voter registration records once the board is notified from a local or state jurisdiction that the voter is registered in another state. While we know Kentucky conducted a fair and safe election, we are confident these provisions will strengthen our election laws for the future.

With the end of session looming, legislators hustled to pass bills like HB 382, originally a simple appropriations bill that was amended in the Senate to include some general fund appropriations and appropriations of the funding received in the American Rescue Plan Act (ARPA). We appropriated \$140 million of the general fund for full-day kindergarten which, if signed by the Governor, would help free up money from the education budget for other needs. This surplus could be used to increase SEEK funding by \$175 per pupil, among other needs.

As we passed the budget a couple weeks ago, we cited the need to brace for anticipated unemployment costs. Luckily, we were able to use some of the ARPA funds to pay off the \$505 million owed towards interest and principal on the federal unemployment insurance trust fund. This is a pivotal step towards promoting economic recovery and reducing impending debt. Because of this, we are very glad to include this appropriation in the final version of HB 382.

Finally, we appropriated \$50 million of the ARPA funds for the deployment of broadband to go towards the unserved or underserved households, businesses and nonprofits throughout the state. This extra \$50 million will join the already appropriated \$250 million Broadband Development Fund in HB 320. This funding is directly earmarked towards covering last mile infrastructure, and will go to the areas that need it most.

As always, am grateful to serve this district and our communities. As we transition into the interim session, please feel free to contact me if you need help or assistance. I can be reached during the week from 8:30 a.m. until 4:30 p.m. (EST) through the toll-free message line at 1-800-372-7181. You can also contact me via e-mail at Robert.Goforth@lrc.ky.gov. You can keep track of interim committee meetings and potential legislation through the Kentucky Legislature Home Page at legislature.ky.gov

State Releases County Unemployment Data for February 2021

FRANKFORT, Ky. (April 1, 2021) – Unemployment rates rose in 69 Kentucky counties between February 2020 and February 2021, fell in 43, and stayed the same in eight counties, according to the Kentucky Center for Statistics (KYSTATS), an agency of the Kentucky Education and Workforce Development Cabinet.

Oldham and Todd counties recorded the lowest jobless rates in the Commonwealth at 3.5%. It was followed by Logan County, 3.6%; Green, Shelby, Washington and Woodford counties, 3.7% each; Cumberland and Spencer counties, 3.8% each; and Scott and Taylor counties, 4% each.

Magoffin County recorded the state's highest unemployment rate at 15.2%. It was followed by Menifee County, 9.5%; Harlan County, 9.4%; Elliott County, 9.3%; Lewis County, 9.2%; Martin County, 9%; Carter County, 8.9%; Leslie County, 8.6%; Livingston County, 8.2%; and Johnson County, 8.1%.

Kentucky's county unemployment rates and employment levels are not seasonally adjusted because of small sample sizes. Employment statistics undergo sharp fluctuations due to seasonal events such as weather changes, harvests, holidays and school openings and closings. Seasonal adjustments eliminate these influences and make it easier to observe statistical trends. The comparable, unadjusted unemployment rate for the state was 5% for February 2021, and 6.6% for the nation.

Unemployment statistics are based on estimates and are compiled to measure trends rather than actually to count people working. Civilian labor force statistics include non-military workers and unemployed Kentuckians who are actively seeking work. They do not include unemployed Kentuckians who have not looked for employment within the past four weeks. The data should only be compared to the same month in previous years.