

# Givens: Week 1 of the 2021 Regular Session



**Senate report**  
State Sen. David Givens

The Kentucky General Assembly has officially begun legislative business for the 2021 Regular Session. Our first official few days back in Frankfort have been productive. Diligent work throughout the 2020 Interim and handling initial procedural responsibilities bring me confidence in what this 30-day session has in store.

This year's legislative session will be unlike any other. Standard procedures have been altered to avoid the spread of COVID-19, such as limiting the number of people within the Senate Chamber, committee rooms, and legislative suites at one time. Our excellent staff will remain socially distanced, workstations will be adequately sanitized, and masks will be worn to be as safe as possible while still fulfilling our constitutional obligations to the Commonwealth. Also unique about this year's legislative ses-

sion will be the responsibility to pass another state budget. For the first time in state history, a biennial budget was not passed. Instead, during the 2020 Session, as COVID-19 made its way into our lives, and not knowing what impacts it would have on state revenue, the General Assembly determined the best course of action was to pass a 1-year budget rather than a 2-year budget. The 2021 budget will be among the most critical efforts in this new 30-day session.

Some priority legislation of the majority caucus has been outlined. The bills are relevant to the topics at the forefront of discussions through the interim. They include measures to address the economic impacts of COVID-19 and the state's response to it, liability protections for businesses and health care providers, police reforms, and better defining executive authority during a state of emergency. All of these and more have been the issues that have motivated constituents to contact lawmakers' offices. They will be key topics of discussion and debate, along with other



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**Senate President Pro Tem David P. Givens, R-Greensburg, comments on Senate Bill 2, a bill relating to administrative regulations, in the Senate.**

legislation aimed at addressing concerns that matter to the people of Kentucky.

The Senate moved swiftly this week to pass a pair of bills out of the chamber that would place limits on the governor's use of executive orders and regulations. Senate Bill (SB) 1 would dictate that executive orders that

place restrictions on the function of schools, businesses, or nonprofits expire after 30 days – unless extended by the General Assembly. The same would go for executive orders that regulate political, religious, and social gatherings or impose mandatory quarantines or isolation requirements. This bill has been designated as a 2021 legis-

lative priority because the pandemic brought to light "fractures" in the current laws concerning executive orders. Provisions of SB 1 would also allow chief executive officers or local governments to seek emergency executive orders for their communities beyond 30 days in length.

The second measure, SB 2, would have similar effects and would require some administrative regulations to last no longer than 30 days if, for example, they imposed restrictions on gatherings or mandatory quarantines. The goal of SB 2 is to provide a more logical administrative process, transparency, and legislative oversight to hamper the ability of executive agencies to legislate through regulation, as when regulations are promulgated and accepted, they become law.

Other priority bills passed in the Senate this week include SB 3 and SB 9.

SB 3 would reorganize the Governor's Office of Agriculture Policy under the Kentucky Agriculture Commissioner's Office. SB 9, better known as the Born-Alive Infant Protection Act was passed

out of the Senate again. That bill assures any baby born-alive will receive lifesaving medical care, even in cases of a botched abortion. SB 9 was passed last year but was vetoed by the governor. Unfortunately the veto occurred beyond the veto override period. That will not be an issue this year if the bill is vetoed again.

These bills are now moving to the House of Representatives for further consideration. The legislature continued business until Saturday this week, completing five official days of the 30-day session.

I am eager to continue representing the 9th District as President Pro Tempore in the Kentucky State Senate. I look forward to hearing from you. I will be keeping you updated over the 30-day session. Do not hesitate to contact my office with any questions or concerns you may have. I wish you and your loved ones a happy new year!

If you have any questions or comments about these issues or any other public policy issue, please call me toll-free at 1-800-372-7181 or email me David.Givens@LRC.ky.gov.

## Reed: Legislature gets to work on COVID-19 response

### Capitol Focus



**State Rep. Brandon Reed**

*"I do solemnly swear that I will support the Constitution of the United States and the Constitution of this Commonwealth, and be faithful and true to the Commonwealth of Kentucky so long as I continue a citizen thereof, and that I will faithfully execute, to the best of my ability, the office of State Representative of the 24th Legislative District according to law..."*

These are the first sentences of the Constitutional Oath of Office that I recited and promised to uphold when I joined other House members in Frankfort on January 5. While it is an honor to serve in the Kentucky House of Representatives, it is also a responsibility. I am committed to supporting policies that benefit the people of this district and help Kentuckians across the state move beyond this pandemic and back onto a path that reflects our values of hard work, family, and freedom.

The first week of an odd-year session is usually reserved for organizational work. However, this year we hit the ground running from the very first day. I am proud to co-sponsor the first bill passed by the House this session which is aimed at keeping businesses, schools, nonprofits, and other organizations safely open during the remainder of the COVID-19 pandemic. The measure went to the Governor's desk for consideration after the House and

Senate agreed on an amended version on Saturday. It provides clarity and reassurance for these entities and gives them the necessary framework to serve their customers, clients, and students. If HB 1 becomes law, any of these organizations can remain open if they adopt and follow a comprehensive operating plan. This plan could be drafted by them or provided by a variety of sources.

The measure also protects vulnerable Kentuckians. HB 1 also prohibits the Cabinet for Health and Family Services (CHFS) from restricting, modifying or suspending court-ordered in-person non-custodial parental visitation for children in state care. Visitation is so important to these families. Clearly it means a great deal to the children involved, but it can also provide the motivation necessary for struggling parents to overcome the challenges they face. In addition, HB 1 also prevents CHFS from preventing in-person visitation in nursing homes and long-term care facilities. Instead, it requires the cabinet to develop guidelines for facilities that choose to allow visitation if it is designated important to the mental, physical, or social well-being of the resident.

Long-term care residents are among the most vulnerable to this virus, and we all recognize that we need to take additional steps to protect them. However, isolation has proven equally dangerous to both their quality of life and physical and mental conditions.

Apparently there is some confusion about

what HB 1 requires and folks have asked if HB 1 requires Kentuckians to get vaccinated. This is not the case. I have verified that with our legal staff.

HB 1 also includes unemployment relief for traditional employers. It waives penalties and interest on late unemployment insurance taxes to give employers more time to pay their tax. Payments will not be considered due and will not be collected by the Labor Cabinet. This measure could literally mean the difference between saving jobs and losing them.

HB 2 – Protecting Life – HB 2 grants the Attorney General the authority to seek injunctive relief and civil or criminal penalties to prevent violations regarding abortions or administrative regulations. By giving the Attorney General more authority, we are one step closer to ensuring there are people in place to protect unborn children's rights.

HB 3 – Giving Kentuckians a Voice in Cases Against the State – This measure expands access to the courts and ensures that Kentuckians across the state will have a voice in who decides these suits. HB 3 would allow Kentuckians who file suit against state government or a state elected official to do so in the county of their residence and also allows for virtual hearings to increase accessibility.

HB 4 – Flexibility with Legislative Session Schedules – If passed by the Senate and approved by voters, HB 4 would eliminate the requirement that the General Assembly adjourn the 60-day ses-

sion in even-numbered years by April 30 and the 30-day session in odd-numbered years by March 30. The provisions of HB 4 also allow legislators to add up to ten additional legislative days if three-fifths if the House and Senate vote that they are necessary.

HB 5 – Expand Oversight on the Reorganization of Boards and Agencies – HB 5 would require all executive branch reorganizations and board reorganizations to be approved by the General Assembly. The five previous governors used the executive order to reorganize a cabinet, agency, or board a total of 446 times.

HB 10 – Liability Protection for Individuals, Businesses, Churches, Schools, Etc. – No person or organization acting reasonably to prevent the spread of COVID-19 should fear a lawsuit. HB 10 would provide liability protection from civil lawsuits related to COVID-19 if the entity in question is making a good-faith effort to conform to the current safety guidelines.

All of the House Bills listed above are essential to the Commonwealth's well-being, which is why I felt it important for me to co-sponsor each measure. Other measures passed by the House this week include:

SB 1 – Better Defining Executive Authority in States of Emergency – SB 1 balances the need for Kentucky to act quickly in an emergency with ensuring that a governor does not overstep the boundaries of executive branch authority. The measure limits to

30 days any Emergency Orders issued by a governor that place restrictions on the functioning of schools, colleges, private businesses or non-profits, political, religious, or social gatherings, or places of worship, or imposes mandatory quarantine or isolation requirements. Also, a Governor could not issue another emergency order based upon the same or substantially similar facts and circumstances as the original order without prior approval of the General Assembly. Additionally, the General Assembly, by joint resolution, may terminate a declaration of emergency at any time.

SB 9 – Born Alive Act – SB 9 states that medically appropriate and reasonable life-saving and life-sustaining medical care and treatment must not be denied to any born-alive infant. If it were to become law, any violation by a medical provider could result in felony charges among other penalties. IN GOD WE TRUST.

I left Frankfort after meeting on Saturday, something the legisla-

ture rarely does, but we felt was necessary this year. We will reconvene on Monday for the sixth legislative day of the 2021 Regular Session and plan to adjourn on Wednesday, January 13 until February 2. In the meantime, 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 Brandon.Reed@lrc.ky.gov.

### Basketball Contest Rules

To enter the contest, contestants may use either this page or an identical page obtained at no charge at the Record-Herald office, 102 West Court Street, Greensburg. You do not have to purchase a paper or anything else to be eligible to win. Only one entry per person. Contestants must circle their winning teams on the page. Should contestants get the same number of games correct, the tie will be broken by the tie-breaker. All entries must be MAILED to the Greensburg Record-Herald, P.O. Box 130, Greensburg, KY 42743. All entries must have an automated postmark no later than FRIDAY, 5 p.m., of this week. To be eligible for the Grand Prize and bonus, an entry must be received by Saturday morning. **Mark all envelopes BASKETBALL CONTEST. NO ENTRIES WILL BE ACCEPTED IN PERSON** at any participating stores or at the Record-Herald. The grand prize will be awarded when a contestant picks the winners of 26 different games. For each week that no one wins, the amount will increase by \$25.

### Crossword Puzzle Answers

A	Y	P							T	E	C	H
R	E	A	P						B	O	O	L
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Crossword puzzle found on page 8A