

Senator Givens: Week 10 of the 2021 Regular Session



Senate report

State Sen. David Givens

The Kentucky General Assembly has wrapped up proceedings for the 2021 Regular Session and have adjourned sine die. Our final legislative days consisted of overriding gubernatorial vetoes, finishing the state budget, and approving several other measures that will impact the Commonwealth.

To adjourn "sine die" means without assigning a day for a further meeting or hearing, or to close official business for an indefinite period. For Kentucky lawmakers, the phrase means the current legislative session has ended.

Some could argue that, "sine die" day resembles the last day of school, as members socialize with their colleagues before routinely taking their seats in the chamber. The day begins with the normal ritual of prayer followed by the pledge of allegiance before diving into official business, and ends by adjourning the annual legislative session, sine die.

After a busy but productive 30-days in Frankfort, there was anticipation for the final strike of the gavel. Nonetheless, we remained diligent, as there was crucial business to complete on behalf of our constituents before heading home to our respective districts.

Our constitutionally mandated veto recess was brief, but concluded with over 20 bills receiving vetoes from the Governor. These bills and other remaining business resulted in a packed agenda for both chambers.

Again, the legislature exercised its constitutional right to override vetoes. Bills that did not withstand the Governor's veto address a variety of issues including child care, public protection, elections, delinquent child support payments, local

government regulations, and much more. Several of these measures will go into effect 90 days after adjournment, except for those that specify a different effective date or include an emergency clause that makes them take effect the instant they become law.

Notably, lawmakers voted to override the governor's veto on all or parts of House Bill 320, House Bill 192 and House Bill 195, which all related to the state budget. Much of our final days in Frankfort was spent passing a series of measures to spend a little more than half of the \$2.63 billion that state received directly from the American Rescue Plan Act, known as ARPA.

The largest appropriation of ARPA money was \$575 million to pay back a federal loan the state took out to cover a surge of unemployment benefit claims made during the height of the pandemic.

Without the appropriation, Kentucky businesses faced an increase in employment insurance taxes to cover the interest and principal on the federal loan. Small businesses and some nonprofits are in no financial position to pay increased unemployment insurance taxes. The money was contained in language added to House Bill 382.

The second largest appropriation was a total of \$300 million for broadband expansion contained in the language added to HB 382 and in House Bill 320. The pandemic highlighted the need for broadband service in rural Kentucky and I am pleased that this money will go towards helping these communities stay connected.

The third largest was \$250 million for drinking water and wastewater infrastructure improvements. This addresses the lack of clean drinking water in some rural communities. In addition, it provides some relief from costly federal consent decrees concerning wastewater. This money was contained in language added to Senate Bill 36.

The fourth was \$127

million to renovate or replace old school buildings. It is evident that too many schools, some of which date to the '30s, are in dire need of repair. This money was contained in language added to House Bill 556.

Also included in HB 556, \$37 million was allocated to mitigate the spread of COVID-19 in congregate or vulnerable population settings. The Justice and Public Safety Cabinet will distribute the money through the awarding of grants.

On top of spending ARPA money, the General Assembly appropriated state tax dollars in addition to what was included in the roughly \$12 billion executive branch budget (House Bill 192) passed earlier in the session.

The additional appropriations included \$140 million for full-day kindergarten. State government currently provides funding for only half-day kindergarten although most districts use local taxpayer money to offer a full-day option. Expanding kindergarten funding would free up local tax dollars for other much-needed school programs. The money was contained in language added to HB 382.

There was also \$75 million for renovating vocational education centers; \$30 million of incentives for local jails to provide treatment and training programs, \$20 million for a rural hospital revolving loan program, \$14.7 million for technology to offer virtual court hearings and \$10 million for a tax increment financing (TIF) district in west Louisville. TIFs are widely used across the country as economic development tools. All of these appropriations were contained in HB 556.

HB 382, SB 36 and HB 556 were delivered to the governor who has 10 days, excluding Sundays, to sign, veto or allow them to become law without his signature.

The bills were among nearly 200, including two proposed constitutional

amendments, passed during the 30-day session. Many of the bills were similar to measures that were introduced last year but didn't have a chance to make it through the legislative process after COVID-19 cut the session short.

Several other notable bills received final passage this week, including:

Senate Bill 4 limits and sets guidelines for the use of no-knock warrants, which allow officers to enter premises without notice. Under this legislation, such warrants would be allowed in limited instances if someone was in immediate danger or in other cases, such as those involving violent crimes or terrorism. These warrants would have to be executed by a SWAT team or a team with special training. The bill also specifies in statute that it would be perjury if an officer made a false statement in an application for a no-knock warrant.

Senate Bill 48 defines "Public Officer" and exempts open re-

cords act disclosure personally identifiable information if the officer notifies in writing the agency responsible for the record that he or she does not want the information disclosed, which request is valid for three years. The officer must also provide a letter from his or her employer verifying past or present employment.

Senate Bill 51 prohibits health benefit plans and Medicaid from requiring or conducting a prospective or concurrent utilization review for a prescription drug that is used to treat alcohol or substance use disorder and contains methadone, buprenorphine, or naltrexone.

House Bill 125 requires the Transportation Cabinet to establish a restriction category on motorcycle operator's licenses which limits the operator to the operation of a 3-wheeled motorcycle only.

House Bill 310 requires notice and hearings prior to parole of persons convicted of a Class D felony clas-

sified as a sex crime.

We concluded the 30-day session shortly before midnight on Tuesday, March 30. However, work in Frankfort will continue throughout the year. To provide a continuity of study and action between sessions, interim joint committees are formed to discuss issues in-depth for the 2022 Regular Session. More information on these will be available at a later date.

Thank you for all of your questions, comments, and support. I will be sending a full recap of this session's events in the coming weeks.

I look forward to continued discussion on a number of issues facing our district and the Commonwealth. It is always an honor to represent you.

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.

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KY 565—EBENEZER, PENITENTIARY & NEAGLE RDS

HEAVY WHITE TAIL & TURKEY POPULATION

GREEN RIVER FRONTAGE

PUBLIC BANKRUPTCY



AUCTION

WEDNESDAY, APRIL 28TH @ 2:07 PM EDT

LOCATION: Green Co., KY. Greensburg, Community—From Greensburg (on the square) - Take KY 70, 68 & 61 southwest app 1.7 miles to the KY 61 intersection—turn left on KY 61 and go App 2.9 miles to KY 565 intersection—turn left on KY 565 and go app 0.7 miles to the beginning of Div 2 (Ebenezer Rd Farm and go 0.5 miles more to the end of Div 2—proceed on for 1.2 miles on KY 565 to the Green-Taylor water tower at Penitentiary Rd Intersection—turn left on Penitentiary Rd and go 0.9 miles to 935 Penitentiary Rd and Neagle Rd at Div 3 and Div 4—proceed on past Neagle Rd for app 0.8 miles to Division 1 near the intersection of Penitentiary Rd and Buford Akin Rd. — **SIGNS POSTED - NOTE: Sale will be held at The Nest Venue, 195 Lee Oak Dr. Hodgenville, KY. 42748. (Right off Lincoln Parkway)**

REASON FOR SALE: By order of the Honorable Judge Joan A. Lloyd—United States Bankruptcy Court—Western District of Kentucky, Case #17-10922-jal, Michael Wheatley, Trustee, has commissioned Harned Auctioneers to sell the following described property under the hammer!!

REAL ESTATE: Div. 1 — 1929 Penitentiary Rd, Greensburg, KY—app 47 Acres—9 Tracts—located on both sides of Penitentiary Rd near the Buford Akin Rd intersection in Green Co. Improvements include a 48 X 48 tobacco barn and some perimeter fencing. Land consists of app 47 ac in all (has app. 35.22 ac in FSA cropland Frederick silt loam soil, with balance in woodland fronting on the Green River) Div. 1 has app. 1950' feet of road frontage on Penitentiary Rd, is served by county water along all road frontage, and will sell in 9 tracts ranging in size from 3 ac to 8 ac each.

Div. 2 - 810 Ebenezer Rd, Greensburg, KY - app. 84 Acres (survey under way) - 9 tracts—located on KY 565 (Ebenezer Rd) app. 4.8 miles south east of Greensburg. Improvements include a 12' X 30' metal utility storage building, and some perimeter fencing. Land contains in all app 84 acres (new survey under way), has app 76.58 ac FSA cropland, app 6 ac in woodland, and app 6 ac in pasture and natural drains. Cropland consists of Top quality Frederick and mountainview silt loam soils, ideal for cropping or harvesting high quality forage every year, farm has app 2350' on road frontage on Ebenezer Rd (KY 565) with county water available or along most of the road frontage. Farm has an FSA 6.2 ac corn base, an FSA 0.3 ac wheat base, and will sell in 9 tracts ranging in size from 4.8412 ac. to 14.1193 ac.

Div 3—935 Penitentiary Rd, Greensburg, KY—app 1 ac lot and a splendid brick home (consisting of Living-room, country kitchen w/dining area, full bath (w/ shower only), 3 bedrooms, carpet & vinyl flooring, painted walls & ceiling) central heat & air, front & side porches, and much more). Land is app 1 ac (survey underway) w/road frontage on Penitentiary Rd and mature shade trees all around the home. Move in condition!

Div 4—100 Neagle Rd, Greensburg, KY—app 247 ac - 24 tracts—located very near 935 Penitentiary Rd Greensburg, KY and along both sides of Neagle Rd—only 6.2 miles south-east of Greensburg. Improvements include a 2 story frame home (consisting of Living-room, country kitchen, full bath, 2 bedrooms—all downstairs—while upstairs has 2 finished bedrooms and a large area that is unfinished), a 60' X 48' metal tool shed, a 56' X 86' feeding barn and toolshed, a 34' X 80' feeding barn w/5' trough and concrete floors, a 64' X 129' tobacco barn w/metal siding & sliding doors, a 40' X 307' feeding barn (consisting of 100' X 40' metal sided barn with stalls, sorting pens, water, and completely enclosed . Balance of barn is open air for feeding measures 25.8' outside posts X 207' long and has app 7' overhangs on each side of barn w/concrete floors for trough feeding areas), and lots of perimeter fencing. Land contains app 247 ac in all (new survey underway) of which app 200.9 FSA cropland ac was planted in corn in 2020, app 40 ac in pasture, woodland, and drains, and 5 ac in farmstead areas. Cropland consists of top quality Frederick, Mountainview, Elk and Nolin silt loam soils—ideal for cropping or harvesting high quality forage every year. Farm has app 1100' road frontage on Penitentiary Rd, with co water along it's road frontage, plus 5 springs, 2 deep wells, and app 2300' of Green River Frontage. Farm has an FSA 48.1 ac corn base, FSA 2.2 ac wheat base, FSA 6.0 ac oat base, and will sell in 24 tracts ranging in sizes from 1 ac to app 20 ac each. **The Tracts—See the website at**

www.billyfrankharned.com for details

TERMS: 20% down day of sale in the form of cash, cashier's check, or personal check with current bank letter of credit addressed to Harned Auctioneers, LLC. -Balance on or before 60 days w/ delivery of deed. A 10% Buyers Premium will be added to all winning bids. **TAXES:** Pro-rated to scheduled closing date. **POSSESSION:** w/deed. **TRUSTEE:** Michael Wheatley—**In an abundance of caution, the CDC protocol for the COVID 19 virus, will be followed throughout this auction. Inspections: Wednesday, April 14th—5 to 7 pm EDT and Sundays April 18th & 25th—2 to 4 pm EDT.**

FOR COMPLETE DETAILS CALL BILLY FRANK HARNED 502-349-9707 OR 502-348-5025 WWW.BILLYFRANKHARNED.COM

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AUCTIONEERS: B. HARNED, L. DOWNS, J. MAUPIN, J. DOWN, K. EISENBERG & C.J. ADAMS, APP'S E. HARNED

AUCTION

SATURDAY, APRIL 24, 2021 - 9:30 A.M. cst

CEDAR COVE, LLC.

99.96 +/- ACRES - 5 TRACTS

Large Barn - Open Land - Wood Land - Home Sites - Hunting

PERSONAL PROPERTY

994 PENITENTIARY BEND ROAD, GREENSBURG, KY

LOCATED JUST OFF OF KY HWY 565 - AUCTION SIGNS POSTED!



REAL ESTATE: 99.96 +/- Acres selling in 5 tracts from 10.09 acres to 45.69 acres with the right reserved to group. Property features a large metal sided barn, other out buildings, and the land consist of open land, crop land, wood land, several nice home sites and a great hunting / recreational area. **INSPECTION:** The land can be inspected daily at your leisure. The auctioneers are available to answer questions at anytime. Call 270-403-3993 or 270-465-7051. Your inspection is invited and appreciated.

ALSO SELLING PERSONAL PROPERTY CONSISTING OF FURNITURE, HOUSEHOLD ITEMS, RECREATIONAL ITEMS & MUCH MORE.

WATCH NEXT WEEKS PAPER FOR A DETAILED AD

TERMS: REAL ESTATE: 10% of purchase price day of auction (a personal check with ID, cash, or cashier check), along with the signing of a Real Estate Sales and Purchase Contract. The balance due with delivery of deed on or before May 24, 2021. **PERSONAL PROPERTY:** Cash or good check with proper ID, day of auction. **NOTE:** A 10% Buyers Premium will be added to all winning bids on the real estate and personal property to determine the final sales and purchase price.

FOR AUCTION INFORMATION CONTACT:
DEWAYNE SQUIRES, REAL ESTATE BROKER & AUCTIONEER 270-465-7871
 OR
JOHN M. KESSLER, & JOHN WAYNE KESSLER, REAL ESTATE BROKERS & AUCTIONEERS 270-465-7051



