2017 County Legislative Issues

Kentucky Association of Counties

KACo
Kentucky Association of Counties
KACo Board of Directors

Executive Committee

Hon. Bruce Todd
President
Henderson County Magistrate

Hon. Jody L. Jenkins
President-Elect
Union County Judge/Executive

Hon. David Nicholson
1st Vice President
Jefferson County Circuit Court Clerk

Hon. Elbert Bennett
2nd Vice President/Secretary
Caldwell County Magistrate

Hon. Jim Henderson
Immediate Past President
Simpson County Judge/Executive

Hon. Jodi L. Albright
Laurel County Attorney

Hon. Alex Barnett
Harrison County Judge/Executive

Hon. Bill Bartleman
McCracken County Commissioner

Hon. Brad Boyd
Christian County Jailer

Hon. Dennis Brooks
Wolfe County Judge/Executive

Hon. Kelly Callaham
Martin County Judge/Executive

Hon. Kevin Corman
Jessamine County Sheriff

Hon. David Fields
Pendleton County Judge/Executive

Hon. David Fields
Butler County Judge/Executive

Hon. Larry Foxworthy
Fleming County Judge/Executive

Hon. John Goble
Scott County Coroner

Hon. John A. Goble
Floyd County Magistrate

Hon. Gary Moore
Boone County Judge/Executive

Hon. Trey Peak
Union County Clerk

Hon. Sue Carole Perry
Shelby County Clerk

Hon. Jerry Powell
Trimble County Judge/Executive

Hon. Vincent Riggs
Fayette County Circuit Court Clerk

Hon. Marc Robbins
Madison County Attorney

Hon. Eddie Rogers
Taylor County Judge/Executive

Hon. Michael Stacy
Commonwealth’s Attorney
1st Judicial District

Hon. John A. Settles
Washington County Judge/Executive

Hon. Teresa Sheffield
Monroe County Clerk

Hon. Fred Shortridge
Montgomery County Sheriff

Hon. Carl Tolliver
Boyd County Commissioner

Hon. Steve Tribble
Christian County Judge/Executive

Hon. Mike Welsh
Metcalfe County PVA

Hon. John Wilson
Garrard County Judge/Executive
Legislative Committee Members

Hon. Bruce Todd
Committee Chairman
Henderson County Magistrate
KACo President

Ky Association of Circuit Court Clerks
Hon. Vincent Riggs
President; Fayette County Circuit Court Clerk
Hon. David Nicholson
Jefferson County Circuit Court Clerk

Ky Commonwealth’s Attorneys Association
Hon. Michael Stacy
President; 1st Judicial Circuit
Hon. Christopher T. Cohron
Legislative Director; 8th Judicial Circuit

Ky Coroners Association
Hon. John P. Goble
Scott County Coroner

Ky County Attorneys Association
Hon. Marc Robbins
Legislative Chair; Madison County Attorney
Bill Patrick
Executive Director

Ky County Clerks Association
Hon. Teresa Sheffield
President; Monroe County Clerk
Hon. Bill May
Executive Director

Ky County Judge/Executive Association
Hon. Kelly Callaham
President; Martin County Judge/Executive
Vince Lang
Executive Director

Ky Jailers Association
Hon. Brad Boyd
President; Christian County Jailer
Renee Craddock
Executive Director

Ky Magistrates & Commissioners Association
Hon. Elbert Bennett
President; Caldwell County Magistrate
J.C. Young
Executive Director

Ky PVA Association
Hon. Joyce Parker
Legislative Vice President; Laurel County PVA
Mack Bushart
Executive Director

Ky Sheriffs Association
Hon. Kevin Corman
President; Jessamine County Sheriff
Jerry Wagner
Executive Director
Legislative Advocacy Process

Each affiliate organization of KACo has one vote on the Legislative Committee. The affiliate organizations of KACo are the Kentucky Circuit Court Clerks Association, the Kentucky Commonwealth’s Attorneys Association, the Kentucky Coroners Association, the Kentucky County Attorneys Association, the Kentucky County Clerks Association, the Kentucky County Judge/Executive Association, the Kentucky Jailers Association, the Kentucky Magistrates and Commissioners Association, the Kentucky Property Valuation Administrators Association, and the Kentucky Sheriffs Association.

In order for the KACo Legislative Committee to either support or oppose legislation, 75% of the members in attendance must vote to take that position. The following is a summary of the positions which may be taken by the Legislative Committee.

Support

The KACo Legislative Committee believes this legislation would be beneficial to counties or county officials and will work to help it win passage.

Oppose

The KACo Legislative Committee believes this legislation would be harmful to counties or county officials and will work to defeat this bill.

Under Review

1) The KACo Legislative Committee has not yet taken a position because members wish to obtain additional information about the bill and how it could affect county governments.

2) One or more affiliate associations of KACo are on each side of a bill and KACo does not support any affiliate association against another affiliate association.
# KACo Legislative Issues

## CERS AUTONOMY
KACo supports exploration of an independent County Employees Retirement System board for administrative and investment oversight. An independent board will focus on system-specific issues, such as future-hire benefit changes, appropriate investments, retiree cost-of-living adjustments, and greater administrative transparency. KACo supports continued full ARC funding of, and has a vested interest in, a healthy KERS. Three of our affiliate member offices participate in it: Commonwealth’s Attorneys, PVA’s and County Attorneys. KACo is working with other stakeholders to identify the benefits and shortcomings of separation and collecting feedback from our members.

## PENSION SPIKING
KACo supported Senate Bill 2 (2013) but will seek a statutory change exempting ‘spiked’ compensation increases that occur in the normal course of business, such as FMLA leave or Workers’ Comp absences. Pension “spiking” leaves the last participating employer responsible for actuarial costs when an employee’s annual creditable compensation exceeds 10% in any of the last five years of active employment (not due to a bona fide promotion or advancement). KACo's suggested changes will address normally occurring circumstances, while preserving the intent of SB2.

## TAX REFORM
KACo supports modernization of state and local tax structures. To create a more competitive environment for investment and a more stable system for budgeting, we must take a hard look at how state and local governments levy taxes, what taxes we impose, and necessary General Assembly authorization at the local level. KACo would like the same option to utilize consumption-based tax schemes as the state.

## JAILS
Counties continue to honor their commitments agreed upon in HB 463 (2011). Unforeseen circumstances such as the heroin epidemic, and judges who refuse to implement the law’s provisions, have contributed to increased strain on county jail and state Corrections budgets. County officials are working to find a balance among reducing correction costs, lowering recidivism rates and maintaining public safety as active participants in the Criminal Justice Policy Assessment Council (CJPAC). In addition, we continue to pursue matching funds for the expansion of programming in jails, support legislation to collect DNA upon arrest, and oppose unfunded mandates.

## ROAD PROJECTS AND MAINTENANCE
Although we are grateful the legislature stemmed the bleeding by stabilizing the motor fuels tax floor in the 2015 session, the dramatic reduction in wholesale gas prices left receipts $130 million below the original 2016 estimate. It is irresponsible to divide an ever decreasing pot of money for roads until the General Assembly addresses a funding mechanism for overall infrastructure needs. KACo supports measures that increase revenues to ensure the future integrity of the road fund, and a distribution formula which continues to reflect the unique safety and economic development needs of our rural communities.
## Affiliate Legislative Issues

### Ky Association of Circuit Court Clerks
1. Support enactment of REAL I.D. to ensure KY citizens will be able to gain entry to federal facilities and board airplanes with a KY Driver’s License.
2. Support legislation to allow probation fee payments to be made at Probation and Parole offices.
3. Support good faith efforts to work with the Chief Justice for Court of Justice pay equity.

### Ky Magistrates & Commissioners Association
1. Road Aid Formula/Motor Fuels Fee: Protect the road aid formula, ensuring that Counties are receiving the same percentage of County Road Aid and Rural Road Aid from Transportation Cabinet. Explore increasing the motor fuels fee. Review the diesel tax rate; consider matching the gas tax rate.
2. Jail Costs: Obtain input from Fiscal Courts, AOC, DOC, and the legislature to find ways to reduce jail costs and increase per diem. Review other parties that should be assisting in funding of jails.
3. Drug abuse: Support legislation that addresses the drug problem through criminal penalties or other means, with special emphasis on treatment programs.
4. Coal & Mineral Severance: Re-assess programs funded from “off the top, off the middle, off the bottom” of the Local Economic Development Fund. Modify the formula and return a higher percentage to counties.
5. Occupational Tax Agreement: Share equal revenue between cities and counties.
6. Retirement: Explore separation of KRS and CERS. Review investment policies for each fund. Maintain the inviolable contract.
7. LIFT: Local Option Sales Tax allows local governments to fund essential capital projects through constitutional referendum. Vote of the people required for passage.
8. Misdemeanant Sentence Structure: Obtain input from prosecutors, jailers, legislators, public advocates, and fiscal court members to review mechanisms that would conditionally release non-violent misdemeanants to save county jail expenses.

### Ky Sheriffs Association
1. Support exploration of CERS separation.
2. State should continue full funding of KERS ARC.
3. County government crucial to tax reform discussions.

### Ky Commonwealth’s Attorneys Association
1. Penal code reform.
2. Sentencing and parole eligibility reform.
3. DNA upon arrest.
4. State should continue to fully fund ARC for KERS.

### Ky County Clerks Association
1. Election law updates.
## Affiliate Legislative Issues

### Ky Jailers Association
1. Continue to follow the progress of the Criminal Justice Policy Assessment Council.
3. Oppose unfunded mandates at the county level.
4. DNA upon arrest.

### Ky PVA Association
1. County governments integral partner in Kentucky tax reform effort.
2. State should continue to fully fund ARC for KERS.

### Ky County Judge/Executive Association
1. Road Fund Legislation: A) Maintain current road fund formula; B) Increase the diesel fuel tax rate by 3 cents making it equivalent to the gasoline motor fuels tax; C) Establish a tax for alternative fuel vehicles; D) Allow TIFs for road projects.
2. Reduce Jail Costs: A) Maximize the use of Medicaid coverage for newly eligible inmates; B) Look at other means to reduce the cost of corrections.
3. Retirement Issues: A) Remedy the spiking problem; B) Investigate separating CERS from KERS.
4. Tax Reform. Ensure any reduction or elimination of taxes (Inventory Tax) is more than offset with addition of local options such as LIFT.
5. Return a higher percentage of coal severance money to counties.
6. Allow the Judge/Executive, with fiscal court approval, to appoint Library Board members.
7. Allow fiscal courts the option to determine whether to maintain or eliminate the office of constable in their respective counties.

### Ky Coroners Association
1. Support exploration of CERS separation.
2. State should continue full funding of KERS ARC.
3. County governments must be part of any state tax reform efforts.

### Ky County Attorneys Association
1. State should continue to fully fund ARC for KERS.
2. We support increased jail funding.
Mark Your Calendar!!!

County Officials Legislative Reception
Thursday, February 16, 2017
5:00 p.m.– 7:00 p.m.
Frankfort Convention Center

KACo

2017 Officers
Hon. Bruce Todd, President
magtodd@yahoo.com

Hon. Jody L. Jenkins, President-Elect
jody.jenkins@unioncountyky.org

Hon. David Nicholson, 1st Vice President
davidnicholson@kycourts.net

Hon. Elbert Bennett, 2nd Vice President/Secretary
elbertbennett49@gmail.com

Hon. Jim Henderson, Immediate Past President
judge@simpsoncounty.us

KACo Legislative Staff
Denny Nunnelley, Executive Director/CEO – denny.nunnelley@kaco.org
Brian Roy, Deputy Director – brian.roy@kaco.org
Tim Sturgill, General Counsel – tim.sturgill@kaco.org
Shellie Hampton, Director of Governmental Relations – shellie.hampton@kaco.org
Roger Recktenwald, Director of Research and Planning – roger.recktenwald@kaco.org
Ellen Williams, Contract Lobbyist – ewilliams@mmlk.com
Sam Crawford, Contract Lobbyist – craw8568@bellsouth.net

400 Englewood Drive, Frankfort, Kentucky 40601
502-223-7667/800-264-5226
www.kaco.org @KACo