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Education committee hears testimony on social media, cell phone overuse

by Nancy Royden - LRC Public Information

FRANKFORT — During the Nov. 8 meeting of the Interim Joint Committee on Education, legislators heard testimony about the effects of social media and cell phone use on students.

A researcher and author, a superintendent from Ohio and two administrators from Bourbon County all shared findings and stories of students they said are excessively using technology.

Zach Rausch testified virtually. He is an associate research scientist at New York University's Stern School of Business and chief researcher for a book on how technology trends are impacting mental health.

"Childhood...went through a rapid transformation between 2010 and 2015 where kids moved from what we called a play-based childhood embodied physically in the real world in to a phone-based childhood where we are on screens 10 hours a day, being online almost of all of the time," he said.

Rausch said children sometimes spend an "enormous" amount of time using cell phones and social media, and some of them experience a deterioration in their mental health. He testified about depression, loneliness, sextortion and a decrease in test scores. He said there is often overprotection in the real world, but under protection online.

Rep. Josh Calloway, R-Irvington, said a bill was filed during the last legislative session to address



Rep. Emily Callaway, R-Louisville, speaks about student cell phone use during the Interim Joint Committee on Education meeting Nov. 8.

some of the problems associated with overuse of technology, and he expects it will continue to be addressed by legislators. He asked presenters about superintendents who think the overuse is a lost battle.

Larry Joe Begley, superintendent of Bourbon

County Schools, said he would encourage his colleagues to have more conversation and not assume that there will be pushback. However, he said if it comes, they should persevere with tackling problems sometimes associated with technology.

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Education committee,

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“There’s always pushback in everything that we do. And I would just encourage them to be courageous and at least take a try before you say no,” he said. “And can speak to myself on that. I certainly come to you and self-profess that until other people get behind you and give you a little nudge, it does seem scary.”

David Lawrence, superintendent of Dayton Public Schools in Ohio, said he was backed up by seven board members who were all supportive of the district’s technology policies.

Rep. Jared Bauman, R-Louisville, said he thinks

Fern Creek High School in Louisville was the first cell phone-free school in Kentucky.

“As we’ve seen in the presentation here, the results from Fern Creek are pretty clear in the early returns here that performance is up, behavior is better, the kids and teachers appreciate it; they like it,” he said. “As far as I’m aware, there is absolutely nothing in KRS today that is preventing school systems across our state from implementing the policy necessary to help our children.”

Rep. Emily Callaway, R-Louisville, said the presentation was “very eye-opening and disturbing,

especially how it’s disproportionately affecting the females.”

She said she has spoken with a principal within her district, and the district used bags for storing cell phones at a high school.

“There were some definite benefits, but she ended up pulling them out. Her approach was we want to teach our high schoolers to be able to regulate this themselves. They’re about to go out in the real world, and it’s not going away,” Callaway said.

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Increased regulations on vaping are topic of committee

by Jordan Hensley - LRC Public Information

FRANKFORT — Kentucky lawmakers are considering more legislation to keep tobacco products, like vapes, away from minors in 2025.

Sen. Jimmy Higdon, R-Lebanon, testified on the topic before the Interim Joint Committee on Licensing, Occupations and Administrative Regulations on Nov. 19. He’s drafting a bill to implement more regulations on tobacco retailers.

“Under this proposed legislation, we would license everyone in the state of Kentucky that sold vapes or tobacco products, and it would give ABC enforcement authority over those institutions,” Higdon said.

The Alcoholic Beverage Control’s (ABC) regulatory authority would be similar to its authority over alcohol regulations, he added.

“It would give the officers the ability to enter and inspect the premises without a warrant,” Higdon said. “It would also give the ability to confiscate evidence of criminal activity.”

Stricter fines and penalties for tobacco retailers who violate the law would be



Sen. Jimmy Higdon, R-Lebanon, shares his plans to file legislation to increase regulations on tobacco retailers. The discussion was part of the Interim Joint Committee on Licensing, Occupations and Administrative Regulations meeting on Nov. 19.

established under Higdon’s bill. Unpaid fines would keep a business from renewing its license until the fees are paid, he said. If a business loses its license, it will not be able to reapply for two years.

“The first offense for retailers selling to a minor would be paid by the clerk who sold the product,” Higdon said. “Fines that happened after that first offense, that would be a fine on the retailer.”

The legislation will also recommend allocating a portion of the fines to programs that educate youth on the dangers of vaping, Higdon added.

The Kentucky General Assembly passed House Bill 11 during the 2024 regular session. The bill aligns state law with FDA regulations regarding the sale of tobacco products.

Specifically, it prohibits the sale of tobacco products to individuals under the age of 21. It also creates penalties for retailers who violate the restrictions. The bill goes into effect Jan. 1.

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Higdon said his proposed legislation would give the ABC “some more teeth” to take down those who continue to break the law by selling tobacco products to minors.

“We have a lot of great retailers in the state that follow the law every single day of the year, and we have some bad actors that we need to deal with,” Higdon said.

Two students representing #iCANendthetrend – Philena Ash and Griffin Nemeth – testified alongside Dr. Brit Anderson, vice president of the Kentucky Chapter of the American Academy of Pediatrics, in support of legislation to keep tobacco products away from minors.

“Nicotine has detrimental effects on a developing brain, including diminished impulse control,

learning difficulties, problems with attention, and even mood disorders like anxiety and depression,” Anderson said. “... You have the awesome privilege and responsibility of making policy, and tobacco 21-enforcement can change the health trajectory of real children in our state.”

Sen. Donald Douglas, R-Nicholasville, who is

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Task force discusses population, job solutions for Eastern Kentucky

by Jordan Hensley - LRC Public Information

FRANKFORT — The Workforce Attraction and Retention Task Force heard from an organization on Nov. 14 that is seeking to improve Eastern Kentucky’s population growth and workforce problem.

Shaping Our Appalachian Region, or SOAR, is a nonprofit focused on increasing the economic mobility and population in Eastern Kentucky, said Executive Director Colby Hall.

Hall said the population in Eastern Kentucky is aging faster than the national average and people are moving away. Long term joblessness is also an issue. The shrinking coal industry, childcare deserts, and housing and transportation issues are among some of the barriers to workforce participation, he added.

“You’re starting to get into multiple generations of families and individuals that have been outside the workforce,” Hall said. “They haven’t been attached to an industry. People have been in survival mode.”

EKY Remote, which received \$1.5 million from the general assembly, is one way SOAR is working to bring new people to the region, Hall said. The program launched in 2023 to bring individuals with remote jobs to live in Eastern Kentucky. To date, 36 adults and 14 children have relocated to the area through the program.

“So far, just in the people that have moved, you’re already seeing an estimated economic impact of about \$1.5 million and \$200,000 in direct tax contributions,” Hall said.

Getting the domestic population back into the



Rep. Michael Sarge Pollock, R-Campbellsville, asks about infrastructure in Eastern Kentucky during the Workforce Attraction and Retention Task Force meeting on Nov. 14.

workforce is also a goal of SOAR. Hall said there are more than 150,000 people across 36 Eastern Kentucky counties between 16 and 64 years old who are not working.

One way SOAR is working to bring these individuals back into the workforce is the Recompete Program. The program recently received a \$40 million federal grant, and the legislature previously invested \$4 million in matching funds, Hall said.

“This grant is going to provide a multitude of resources and supports where we’re going to find them and bring them back into the jobs that are in sectors like healthcare, sectors like infrastructure-related projects, and emerging opportunities in the remote workspace,” Hall said.

Task force co-chair Rep. Robert Duvall, R-Bowling Green, asked Hall what impact Pikeville’s healthcare industry and education opportunities are having on the region.

Hall said it is “huge.”

“There’s no question that healthcare is the No. 1 job-creating sector in the region in terms of good paying jobs, family-sustaining wage jobs,” he added.

Rep. Michael Sarge Pollock, R-Campbellsville, said the federal funding Kentucky received in response to COVID-19 has been nice for investments into infrastructure.

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Cities, counties share 2025 priorities with lawmakers

by Jordan Hensley - LRC Public Information

FRANKFORT — Tax revenue, road maintenance and county jail funding were among the main topics the Kentucky League of Cities (KLC) and the Kentucky Association of Counties (KACo) discussed with lawmakers on Nov. 12.

Both groups presented their 2025 legislative priorities to the Interim Joint Committee on Local Government. KLC Executive Director and CEO J.D. Chaney described KLC's agenda as "lengthy," with road maintenance and a variety of revenue issues at the forefront.

KLC President and Benton Mayor Rita Dotson said cities need more funding for road maintenance projects, as city roads often cost more to maintain than county roads due to curb and gutter systems.

Currently, the state allocates more money to county governments for road maintenance than they do cities, Dotson said. KLC suggested making the local government funding for road maintenance from the state gas tax equal.

"The state would then split the local government portion equally between the road aid programs – the municipal road and county road aid – allowing 13% each from the 48.2% of the local government share," Dotson said.

Another issue KLC advocated for is revenue diversification. A constitutional amendment and a change in the the restaurant tax statute were suggested.

"KLC supports legislation that would sever the statute that limits the ability of cities that are a specific size to collect consumption-based restaurant revenue, rather than imposing a nets profit or gross receipt tax on restaurant businesses," Dotson said. "This approach ensures that every city can benefit from the economic advantages of restaurant revenue to support tourism in our communities."

Maintaining the pension system, addressing substance use disorder, and combating the housing shortage were among the other legislative priorities for KLC. The organization also opposes legislation that would require cities to assist with county jail costs and centralized collection of local transient room tax revenue.

In response, Sen. Christian McDaniel, R-Ryland Heights, urged KLC to pare down its list of priorities since the upcoming legislative session is only 30 legis-



Sen. Christian McDaniel, R-Ryland Heights, shares his thoughts on medical care costs for county jails during the Interim Joint Committee on Local Government meeting Nov. 12.

lative days. He also shared his opinion on centralized collection.

"If there's one thing I hear about from businesses on a regular basis, they despise the number of local and municipal returns they have to file," McDaniel said. "I have over 46 myself and my small company in Kenton County."

On road funding, Sen. Philip Wheeler, R-Pikeville, said the county road maintenance demands are high.

"We do have certain obligations, at least in rural Kentucky, that I do think call into question as to whether or not it would be wise to take away any money under the current formula," he said.

KACo's presentation was next, and the organization focused on three topics: jails, revenue streams and county road and bridge funding.

"Today's presentation could better be described as an update on the issues, rather than a big presentation filled with a lot of requests," KACo President-elect and Harlan County Judge/Executive Dan Mosley said.

County governments are struggling to fund county jails, but that issue is not news to the committee. KACo spoke in-depth on that topic to the committee in July. Mosley focused on the issue of medical care cost for inmates on Nov. 12.

"Significant changes are on the horizon for jail medical care. This year, a new federal mandate requires county jails to offer medically assisted treatment for inmates as part of the Americans with Disabilities Act," Mosley said, using opioid abuse treatment like suboxone as an example.

One suggestion to address this issue is to consider making changes to Medicaid eligibility for inmates.

"Once someone is arrested, their Medicaid coverage is suspended," Mosley said. "A process is being developed for inmates to remain eligible for Medicaid or to be able to re-enroll in Medicaid at the end of their sentence."

On revenue issues, KACo also advocated for more consumption tax options at the local level.

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Committee receives update on behavioral treatment program

by Jordan Hensley - LRC Public Information

FRANKFORT — The Administrative Office of the Courts (AOC) gave the Interim Joint Committee on Judiciary an update on the Behavioral Health Conditional Dismissal Program on Nov. 7.

The pilot program provides an alternative to incarceration to certain low-level offenders. Senate Bill 90 from the 2022 legislative session created the program.

Angela Darcy, executive officer for the AOC Department of Pretrial Services, said the program gives people facing low-level criminal charges an opportunity to better their lives through a behavioral health or substance use disorder treatment program and other services.

"It has a wide array of services, such as adult education," Darcy said. "They can go to college. They can go to cosmetology school. If they choose to, they can just get a GED. Some people just want to read, so it's really an opportunity to try and improve lives and then get some people that treatment that they so desperately need."

Letcher County was the first county to participate in the pilot program, Darcy said. There were 11 counties chosen for the pilot program initially. Now, AOC is working on expanding the program to additional counties.

The program has a strict set of criteria, according to AOC's presentation. To be eligible, the defendant must be a Kentucky resident and at least 18 years of age. The defendant cannot be charged with a violent offense, sexual offense, a DUI, or a domestic violence offense. Also, they cannot have a protective order filed against them.

Previous convictions are also considered, and the defendant must be considered low-risk for failure to appear or new criminal activity, according to the presentation. Additionally, defendants are clinically assessed for substance use and mental health disorders.

"The prosecutors have the opportunity to override some of those disqualifying offenses and put them into the program themselves, and we've seen a substantial amount of prosecutor overrides in this program," Darcy said.



Committee co-chair Sen. Whitney Westerfield, R-Fruit Hill, speaks on the importance of expanding the state's Behavioral Health Conditional Dismissal Program during the Interim Joint Committee on Judiciary meeting Nov. 7.

Rep. Jennifer Decker, R-Waddy, wanted to know how this program differs from another diversion program in Kenton County.

"The other day we heard testimony from Rob Sanders Commonwealth Attorney's initiative with the Life Learning Center, and it sounded similar. Is it the same?" she asked.

Jason Dufek, manager for the AOC Department of Pretrial Services, said the Behavioral Health Conditional Dismissal Program is similar, but the program in Kenton County deals with more higher risk, higher need individuals.

Dufek said the Behavioral Health Conditional Dismissal Program is typically for low-risk defendants facing low-level charges. He said 1,400 of the interviewed defendants were eligible for the program in 2023 and 4,600 were ineligible.

Defendants were ineligible for a variety of reasons, Dufek said. Around 15% were charged with class A, B or C felonies, and 4.1% were charged with a violent offense.

"And DUI is the big one," Dufek said. "A little bit more of a third of the folks are currently charged with a DUI ... That's about 2,900 people that came

through the door that were charged with DUI, and that's what kicked them out of eligibility."

Committee co-chair Sen. Whitney Westerfield, R-Fruit Hill, said the legislature should work to find a way to get drunk drivers access to behavioral health intervention.

"I'm not saying they've all got to get a chance, I'm not. And I don't know what it needs to look like, but that's a category of people who have a behavioral health problem that everyone agrees they need help with," he said. "Let's get them help much earlier in the pipeline."

Westerfield also encouraged his colleagues to consider expanding eligibility altogether.

"We're leaving a lot of people out that could benefit from behavioral health intervention," he said while also acknowledging there is a "ceiling" and a limit to who should be eligible to participate.

When it comes to recidivism, Darcy said there are 125 people who have completed the program and 84% of those people have not faced new charges.

"It is a hard program to complete," Darcy said. "It's not easy for them, but it changes their lives. And when you hear the stories, you're so moved and ... your heart is warmed by just the sheer velocity of the people we're helping."

While the program is growing and helping many people recover and lead better lives, Darcy said there are barriers.

"There are some counties that have kind of stalled with participation ... and there's just that overall continued hesitation from some of those partners," Darcy said. "It could be the prosecutor, the defense attorneys or sometimes our other partners."

Darcy said AOC plans to meet with those counties to learn what they can do to improve participation rates and the program.

Decker said she "loves" the program.

"Thank you for doing it, and keep up the good work," she added.



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Education committee, from page 2

She said the students aren't allowed to use cell phones in the hallways, and teachers are able to restrict them in the classrooms as necessary.

"But what they've spent the money on because those bags are so expensive, is more interactive, physically challenging activities. A VR, they've got a VR room now – anything they can do to get the students up and moving, that's what they're investing in," she said.

Rep. Kevin Jackson, R-Bowling Green, said legislators have taken steps recently to attract and retain teachers, and curbing technology overuse would continue this effort.

"I heard all those horror stories all the time when I served on a school board. You know, we talk about we want test scores to go up, and I think this evidence that they have shown us, test scores and social scores go down. Mental health issues and suicide goes up,"

he said.

Committee Co-Chair Sen. Stephen West, R-Paris, called the problems "very important," and said he expects several bills to be filed to address it.

The Kentucky General Assembly can't act on legislation until the 2025 Regular Session begins Jan. 7.

Vaping, from page 3

also a doctor, said reducing vaping among minors will take more than just legislation.

"No matter what laws we pass, no matter what legislation we pass, unless we get buy-in from our public, from our parents, it won't make a difference," he said.

Douglas thanked Ash and Nemeth for their work on the issue, encouraged them to continue, and told them, "We will do the very best we can."

Abbie Gilbert with The Denton Group read a statement to the committee on behalf of the Vapor Technology Association. She said the group believes regulations like the ones in HB 11 from this year are harmful to small businesses and the economy. The group would like the general assembly to delay the HB 11 effective date until after the U.S. Supreme Court has a chance to weigh-in on the issue later next year.

The statement said this would "allow time to create regulation which is based on science and help keep small businesses operating in the commonwealth."

Sen. Christian McDaniel, R-Ryland Heights, said the legislature wouldn't be looking to create new regulations on tobacco retailers if "they quit selling to underage kids."

"(Minors) have absolutely no problem accessing these products in this commonwealth, and until they do, you will find us being more and more and more stringent about this," McDaniel added.

The Kentucky General Assembly cannot act on legislation until the 2025 legislative session begins on Jan. 7. The Interim Joint Committee on Licensing, Occupations and Administrative Regulations is not scheduled to meet again in 2024.

Population,

from page 3

“Is the infrastructure there (in Eastern Kentucky) that you see as far as roads, as far as to provide that advertisement for employers to come to Eastern Kentucky?” Pollock asked.

Hall said the infrastructure piece he is “very excited” about is internet infrastructure.

“I’m really excited as the economy evolves, the opportunities that are going to come via digital and remote employment,” Hall said, adding he doesn’t think it will be a “silver bullet” but a number that

“can move the needle.”

Sen. Shelley Funke Frommeyer, R-Alexandria, said she wanted to know more about why the workforce population is struggling in Eastern Kentucky and solutions.

“What are we doing with that grant to attract some meaningful employers that will hold people accountable?” she asked, adding she wonders if there are too many resources available that may be inspiring people not to work.

Hall said the grant’s launch date was Oct. 1, so SOAR is just getting started on the Recompete Program.

“Inside of that are some various seven or eight different interventions that we’re going to try and test to try to prove to be some new models for activating this section of the workforce,” Hall added.

Priorities,

from page 4

“We understand the constitutional hurdles this presents. We urge the general assembly to approach this discussion with full appreciation for the need to protect our current revenue streams,” Adam O’Nan, KACo first vice-president and Union County judge/executive, said.

Additionally, O’Nan said Kentucky counties want to maintain funding for the services it provides while being mindful of how taxes affect residents.

Sen. Amanda Mays Bledsoe, R-Lexington, said as Kentucky grows and changes, the legislature will have to address the tax revenue issues.

“As our revenue continues to change, and as we move towards consumption, we’re going to have to have some really difficult conversations about how we pay for services,” she said. “Regardless of who does it, people still want (services) and it is our job to provide them as elected officials wherever we happen

to serve.”

McDaniel brought the conversation back to county jails. He said jails “are not a city issue,” and he is concerned about how to address the medical care costs.

“What exactly happens, when we’re a state that’s already a third of the population on Medicaid, when we add even more people to that?” McDaniel said. “If there’s a formulaic change, instead of having 90/10 and 70/30 populations, what if we have 60/40 populations? And then the state’s budget becomes a disaster.”

The Kentucky General Assembly cannot act on legislation until the 2025 legislative session begins on Jan. 7.



Committee Meetings

Minutes for Statutory Committees that met recently may be found at the following sites:

Interim Joint Committee on Agriculture:

https://apps.legislature.ky.gov/committees/interim/Ag/minutes_all.html

Interim Joint Committee on Appropriations and Revenue:

https://apps.legislature.ky.gov/committees/interim/A&R/minutes_all.html

Interim Joint Committee on Banking and Insurance:

https://apps.legislature.ky.gov/committees/interim/B&I/minutes_all.html

Interim Joint Committee on Economic Development and Workforce Investment:

https://apps.legislature.ky.gov/committees/interim/EDWI/minutes_all.html

Interim Joint Committee on Education:

https://apps.legislature.ky.gov/committees/interim/Education/minutes_all.html

Interim Joint Committee on Families and Children:

https://apps.legislature.ky.gov/committees/interim/IJCF&C/minutes_all.html

Interim Joint Committee on Health Services:

https://apps.legislature.ky.gov/committees/interim/IJCHS/minutes_all.html

Interim Joint Committee on Judiciary:

https://apps.legislature.ky.gov/committees/interim/Judiciary/minutes_all.html

Interim Joint Committee on Licensing, Occupations, and Administrative Regulations:

https://apps.legislature.ky.gov/committees/interim/LO&AR/minutes_all.html

Interim Joint Committee on Local Government:

https://apps.legislature.ky.gov/committees/interim/Loc_Gov/minutes_all.html

Interim Joint Committee on Natural Resources and Energy:

https://apps.legislature.ky.gov/committees/interim/NR_&_E/minutes_all.html

Interim Joint Committee on State Government:

https://apps.legislature.ky.gov/committees/interim/St_Gov/minutes_all.html

Interim Joint Committee on Tourism, Small Business, and Information Technology:

https://apps.legislature.ky.gov/committees/interim/TSBIT/minutes_all.html

Interim Joint Committee on Transportation:

https://apps.legislature.ky.gov/committees/interim/Trans/minutes_all.html

Interim Joint Committee on Veterans, Military Affairs, and Public Protection:

https://apps.legislature.ky.gov/committees/interim/Vets/minutes_all.html

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Acts of the General Assembly (2023)

Regular Session: \$80 (2 volumes)

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House Set, Senate Set: Priced after

printing

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2024 Interim

LEGISLATIVE RECORD

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