

Senate President Stivers says legislature could negotiate with Gov. Beshear on emergency bills

by Kentucky Health News

The General Assembly has passed three bills to limit the governor's power in emergencies, including the current pandemic. Gov. Andy Beshear is expected to veto them, and the legislature seems prepared to override him. But maybe not, Senate President Robert Stivers told Morgan Watkins of the Courier Journal.

"When the Courier Journal asked Stivers on Wednesday if the legislature would override any vetoes . . . he said that could depend on the governor's reaction," Watkins reports.

"If Beshear vetoes the bills but is willing to talk about other ways to address the emergency powers issues through new legislation, Stivers indicated he and other top lawmakers would be open to that," Watkins reports.

"That's our job," Stivers said. "We've encouraged him to engage us. . . . How can I sit there and not be willing to discuss with him when that's been our complaint for the last nine months?"

Stivers, House Speaker David Osborne and other legislators have criticized Beshear for not meeting with them to explain and discuss his emergency orders. Beshear, a Democrat, has accused the Republican leaders and Attorney General Daniel Cameron of political motives.

Enough of that, Stivers told Watkins: "He has to be open to candid dialogue,

not personal dialogue, about how the institutions [can] work better."

Watkins writes, "Beshear probably will be hard to sell on making any significant changes to his authority while Covid-19 is still a major threat. The governor told the Courier Journal he thinks 'a discussion on emergency powers can be had' with lawmakers, but suggested taking immediate action on that isn't the best course of action.

"I'm always willing to sit down and have a conversation, but changing the rules in the midst of a worldwide health pandemic seems like a bad idea," Beshear told the Louisville newspaper.

Beshear has until Jan. 21 to sign or veto the legislation. Because the legislature is in recess and won't reconvene until Feb. 2, that gives the governor and legislators time to talk before override votes are set up.

Bills passed by the legislature normally take effect 90 days after passage, but all three bills have an emergency clause that would make them effective immediately.

If the legislature overrides Beshear's vetoes, the next stop is likely court, with a request by Beshear or other plaintiffs that the legislation be held in abeyance until its constitutionality is determined, Senate Democratic Leader Morgan McGarvey of Louisville told Watkins.

Thus, one or more judges could "ensure Beshear's emergency powers and

Covid-19 orders stay intact — until a ruling on their legality is reached."

McGarvey, a lawyer, told Watkins that judges would be likely to issue injunctions, "which could last weeks or even months while any legal cases make their way through Kentucky's court system," she writes. "In the end, the courts could uphold or strike down the bills entirely. Another possibility: Parts of them could be deemed unconstitutional while others are allowed to stand."

"This could be a real legal mess," McGarvey told Watkins.

Even if no injunctions were issued, "That doesn't necessarily mean the Republican-run legislature would quickly flip a switch and wipe out all Beshear's pandemic rules," Watkins writes, quoting Osborne:

"I think it requires thoughtful consideration. One of the things that we've been somewhat critical of the governor of over time was not the particular policies but the fact that they were applied equally in every situation. So, I do think that it requires a much more strategic and thoughtful approach to doing it as opposed to just one size fits all."

Watkins reports, "Beshear contended the bills the legislature has passed would disrupt the state's response to the pandemic. And he made it clear he expects their collective result would be to get rid of restrictions his administration has used to fight the easily spread

coronavirus."

Beshear told her, "The three proposals together would undo the rules and regulations that we have put in place that have saved lives, that have helped us to get through this pandemic better than most while at the same time keeping our economy open, even with some sacrifices that have to be made."

Watkins writes, "Beshear and Republican lawmakers' disagreement over his Covid-19 regulations largely reflect a persistent, nationwide argument: how best to balance the need to protect people from the virus with the need to dampen the pandemic's economic impacts on businesses and workers." She describes the bills:

HB 1 would lets businesses, schools, nonprofits and churches stay open as long as they meet the COVID-19 guidelines set by either the U.S. Centers for Disease Control and Prevention or Kentucky's executive branch, whichever is least restrictive.

SB 1 would limit a range of gubernatorial emergency orders to 30 days unless the legislature agrees to extend them. It also says the governor needs the attorney general's permission to suspend a state statute in an emergency.

SB 2 would gives legislative committees more oversight and control over emergency administrative regulations the governor imposes.

Radon is the second leading cause of lung cancer in Kentucky

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Exposure to radon can be dangerous to anyone, regardless of the presence or absence of other risk factors for lung cancer.

If you haven't tested your home for radon, National Radon Action Month is the perfect time to take action and request a free radon test kit from your local health department or the Kentucky Radon Program. Then, test your home, know your level, and take action if your home radon concentration is at or above 4.0 pCi/L. If anyone in your home uses tobacco or vape products, ask them not to use the products inside (and at least 25 feet

away from entryways, windows, and building vents).

Breathing radon is dangerous for everyone but even more harmful when also exposed to tobacco smoke or e-cigarette aerosol. What better way to "Stay Healthy at Home" than with the peace of mind knowing that you are protecting you and your family from the second leading cause of lung cancer by testing for radon?

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A horse enjoys the sunny, but cold weather recently in a pasture on Cressy Road.

IPD Activity Report

Courtnee Archer 25, of Jeffersonville, Ky. was arrested early Sunday morning on Armour Street in Irvine by Officer Stewart Morris.

The officer said he was dispatched to School House Apartments on Broadway to investigate a naked female who was intoxicated.

He stated he located the female inside a white pickup camper on Armour Street. She was screaming and kicking the doors and windows.

The citation states that she had alarmed multiple people inside the apartment complex and was disturbing them.

Morris said she had a strong alcohol odor, was unable to stand, and was belligerent.

He charged Archer with alcohol intoxication in a public place, and second degree disorderly conduct.

Timothy Scott Flinchum, 36, of Zoe, Ky. was arrested late Friday night following a traffic stop on River Drive by Officer Stewart Morris.

The officer said that Flinchum was operating his vehicle on River Drive and it had only one working headlight.

He stated he could smell alcohol coming either from the vehicle or Flinchum. An open bottle of Bud Light was half empty but inside the vehicle.

Morris gave field sobriety tests to Flinchum.

Flinchum was charged with operating a motor vehicle under the influence of alcohol, one headlight, and possession of an open alcohol beverage container in a motor vehicle.

Officer Conrad served a parole violation warrant on **Brian L. Jackson**, 33, of Berea on January 12. Jackson was located at Oak Tree Inn at West Irvine.

A Jackson County District Court warrant was served on **Sally Sizemore**, 42, of Collins Street, Irvine on Thursday by Officer James Marshall.

Sizemore's warrant was for failure to appear in court.

Irvine Police arrest two after traffic stop Sunday

Two people were arrested Sunday afternoon by Irvine Officer Jason Conrad following a traffic stop on Cantrill Street in Irvine.

The officer stated that he made a traffic stop on a 2005 Ford Focus because it made an improper start from a parked position.

Conrad added that he could smell marijuana from inside the vehicle.

The citation states the vehicle was searched and Conrad located a small plastic baggie containing a crystal like substance from inside the driver's watch pocket.

Conrad said he asked

the driver what the substance was, and he replied, "Dope."

Conrad charged Randall Gerald Sparks, 21, of McKee Road, Irvine with improper start from a parked position and possession of a controlled substance first degree, first offense (methamphetamine).

A passenger, Melissa G. Gibson, 42, of McKee Road, Irvine, was also arrested. She was charged with public intoxication of a controlled substance (excludes alcohol).

Irvine Officer Russell "Doc" Conrad assisted with the investigation

Get registered for Covid-19 shots

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Over the past few weeks, the Estill County Health Department has been giving virus shots.

Medical personnel were the first to be given the vaccine, followed by first responders.

Immunizations are expected to arrive soon for persons 70 years and older and educators.

The Estill County Health Department has a Facebook page, and you can place yourself on a waiting list for the vaccine if you are 70 or above.

If you do not have a computer, please call the health department at 723-2181 and ask to be put on their registry.

The virus vaccine requires a booster shot which will be given approximately three weeks later.

Stolen truck is wrecked in pond on Highway 82

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A few hours later, a vehicle was reported partially submerged in a pond near Highway 82. The vehicle matched the description of the stolen truck.

A passerby on 82 had transported a male to Spencer's address on Dry Ridge Road.

Chief Sturniolo said he located Spencer at his residence. Spencer told

him that he found the truck and he did not steal it.

Spencer was charged with receiving stolen property under \$10,000, no operators-moped license, and leaving the scene of an accident -- failure to render aid or assistance.

The police chief served a Lee County warrant on Spencer for failure to appear in court.

THE ILLUSTRATED BIBLE

...He said to Simon, "Launch out into the deep and let down your nets for a catch." But Simon answered Him, "Master, we have toiled all night and caught nothing; but at Your word I will let down the net." When they had done this, they caught a great number of fish, and their net was breaking.

LUKE 5:4-6