

April 17th , 2025

LWVUS Advocacy & LWV Kentucky Present:

How Can They Do That?: Legislative transparency in Kentucky

Agenda

- Introductions
- Housekeeping
- Why Legislative Transparency
- LWV KY Presentation
- Q&A



Speakers



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Housekeeping

- All trainings will be recorded to keep accurate notes to share with attendees and others after the call.
- If you are not speaking, please mute yourself to minimize sound issues.
- Make sure you identify yourself (name, League, State & pronouns) when asking questions
- **Staff will be monitoring the chat box.** If you have any questions or thoughts throughout the call, please feel free to drop them in the chat box.

Community Norms



Bring your full self and limit distractions



What is learned here, leaves here



No one knows everything, together we know a lot



Don't yuck my yum



Oops, ouch, and educate



Assume best intentions

Why Legislative Transparency?

Transparency and LWVUS Positions & Principles

- Lack of transparency creates a challenging legislative environment for all advocates
- Advocating for a more accessible legislative environment is part of the League's work
- "The League of Women Voters believes that democratic government depends upon informed and active participation in government and requires that governmental bodies protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings, and making public records accessible."
- Leagues in both progressive and less progressive states struggle with lack of transparency
- Keeping legislators accountable



Poll!



NOVEMBER 2024

How Can They Do That?

Part 2

Ongoing Challenges to Transparency
and Citizen Participation in
Kentucky's Legislative Process

A presentation by



Available at lwvky.org/how-can-they-do-that

THE DEMOCRACY PRINCIPLE

*We, the people,
have a right to participate in
decisions that affect us.*



How Can They
Do That?



Problem

Bills are voted into law very quickly, with no time for public participation

Example: SB 299 (2024)

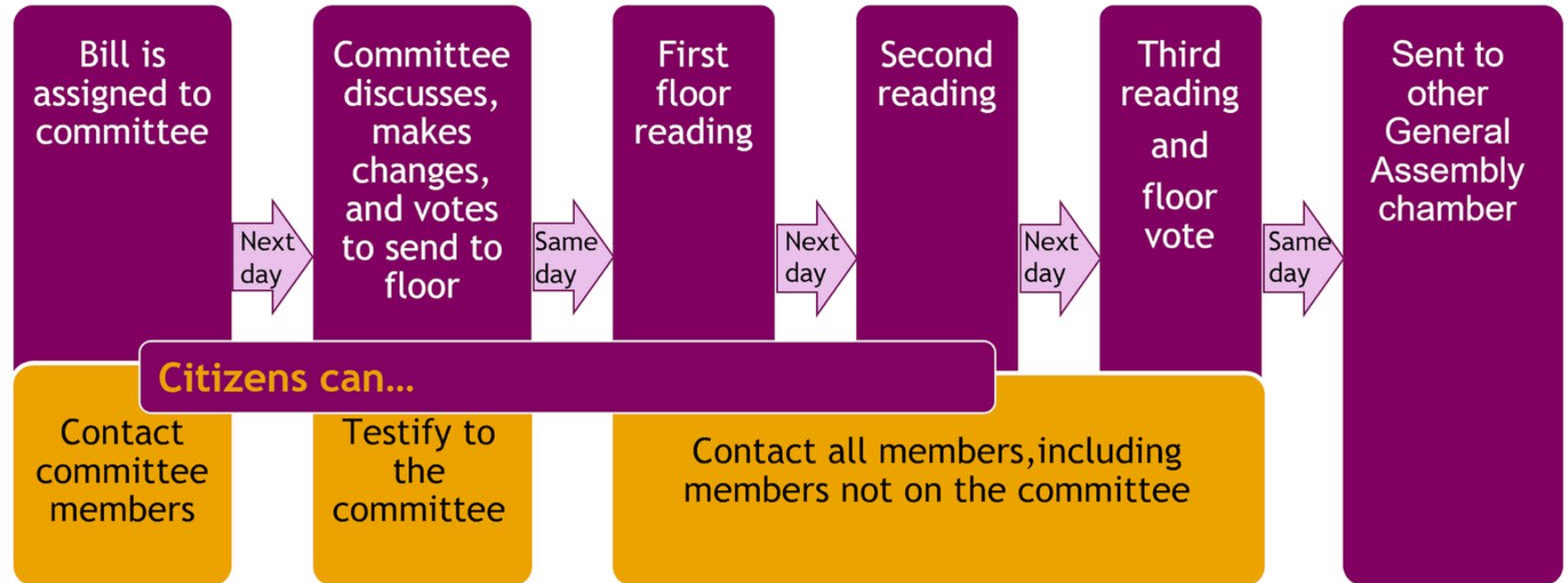
- Began as half-page bill changing “he” to “he or she”
- Ended as 282-page bill transforming how horse racing and gambling are regulated
- Changes happened and bill passed in < 60 hours
- Stakeholders had little time to review & give input



Kentucky Legislative Process and Citizen Participation Opportunities

A Single Chamber (House or Senate) Example

What are the opportunities for citizen participation in the KY legislative process?



This diagram reflects lwvky.org analysis of the Kentucky Constitution and House and Senate Rules, along with explanatory documents available at legislature.ky.gov

Challenges to the Democracy Principle

Fast-Track Maneuvers

- Challenge 1:** Readings Before Committee Action
- Challenge 2:** Last-Minute Committee Substitutes
- Challenge 3:** Floor Votes Immediately After Committee Action
- Challenge 4:** Floor Votes Immediately After Free Conference Committee Action

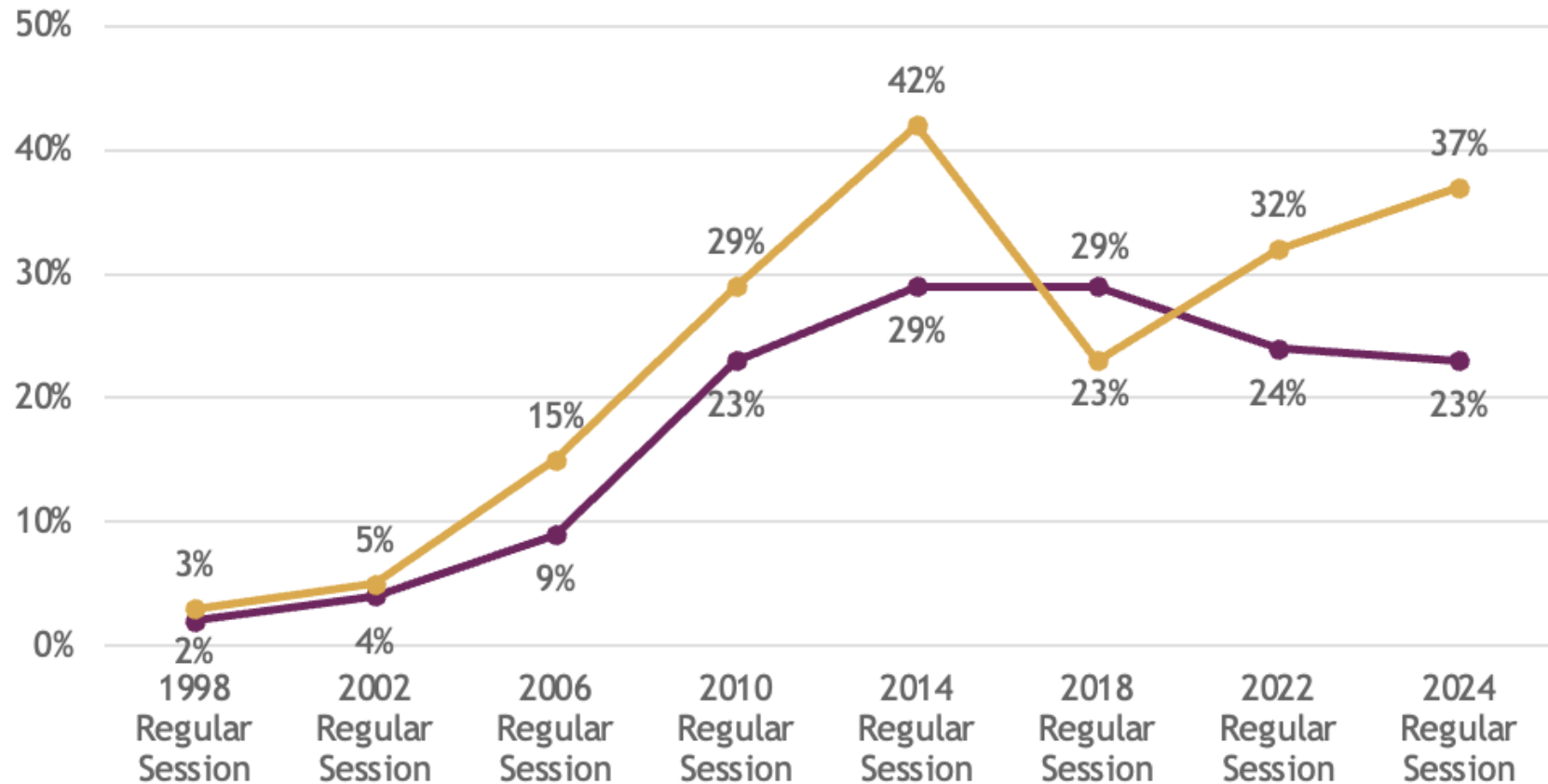
Undemocratic Tactics

- Challenge 5:** Loss of Prefiled Bills
- Challenge 6:** Shell Bills
- Challenge 7:** Meeting Held at Irregular Times or Not at All
- Challenge 8:** Inconsistent Access to Records of Legislative Action

BILLS THAT BECAME LAW WITH FAST-TRACK MANEUVERS (AS PERCENT OF ALL BILLS FROM THAT CHAMBER THAT BECAME LAW)

This chart reflects lwwky.org analysis of bill history at legislature.ky.gov

Senate Bills House Bills



Has it
always
been
this
way?

Challenge 5:

Loss of Prefiled Bills

Explanation

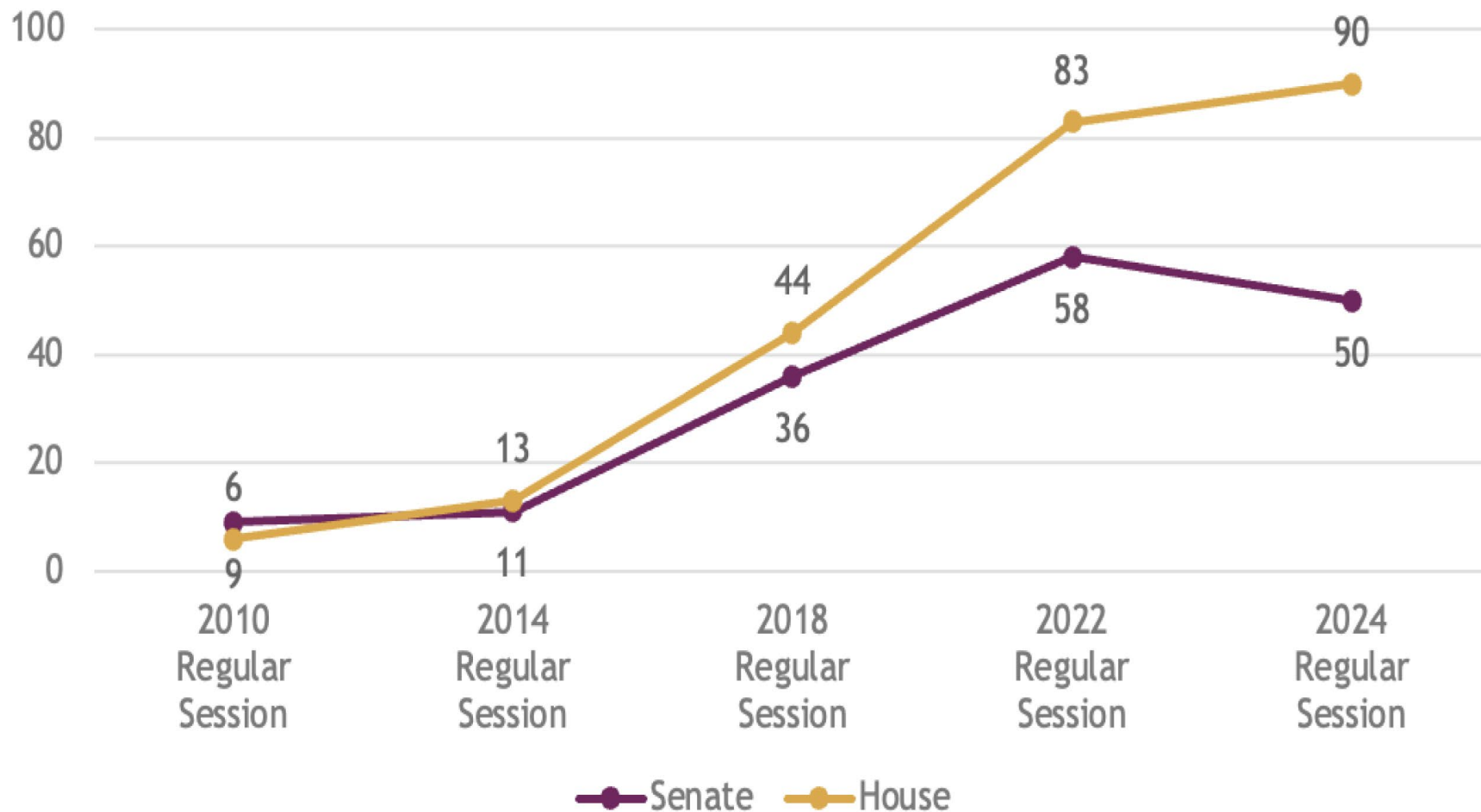
- For years, legislators could prefile draft bills and the public would find them on the legislature's website before sessions began.
- A 2022 bill eliminated prefiling, making it harder for the public to prepare for the upcoming session.

Recommendation

- Restore the prefiling process

HOW MANY TIMES DID MEMBERS OF EACH CHAMBER FILE SHELL BILLS?

This chart reflects lwvky.org analysis of bill history at legislature.ky.gov



Challenge 6: Use of Shell Bills

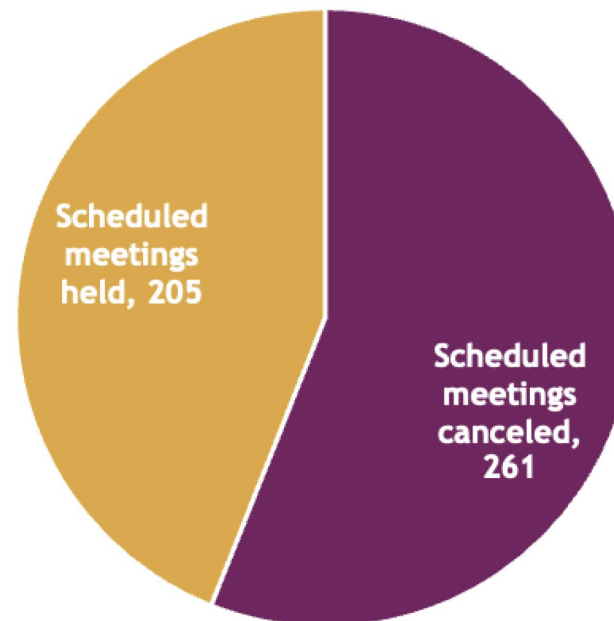
**OF 252 COMMITTEE AND SUBCOMMITTEE MEETINGS
HELD DURING THE 2024 REGULAR SESSION,
HOW MANY WERE SURPRISE MEETINGS?**

*This chart reflects lwvky.org analysis of committee records
at legislature.ky.gov*



**OF 466 SCHEDULED COMMITTEE AND SUBCOMMITTEE
MEETINGS DURING THE 2024 REGULAR SESSION,
HOW MANY WERE CANCELED?**

*This chart reflects lwvky.org analysis of committee records
at legislature.ky.gov*



**Challenge 7:
Committee
meetings
held at
irregular
times or not
at all**

Challenge 8:

Inconsistent Access to Records of Legislative Action

Explanation

- The Kentucky Constitution requires the Senate and House to publish a Journal of Proceedings every session.
- Kentucky law requires minutes of public meetings.

Recommendation

- Publish both chambers' required Journals within weeks after each session adjourns.
- Publish accurate, complete, digital, and freely available records online for each committee meeting.

HOW CAN WE HELP?

1

PARTICIPATE



Monitor each legislative session for opportunities to participate.

2

CALL



Contact legislators each time legislation is rushed, limiting opportunities to participate.

3

GRASSROOTS
ADVOCACY



Raise awareness and promote change through social media, petitions, letters-to-the-editor & calls or visits with legislators.

4

PEACEFUL
PROTEST



Engage in peaceful demonstrations and protests.

5

VOTE



Vote for representatives that value citizen input and participation.



We began With legislative website records

Became Law Without Governor's Signature

Senate Bill: 2 , 20 , 58 , 91 , 128 , 215

House Bill: 53 , 109 , 147 , 174 , 320 , 357 , 386 , 478 , 553 , 580 , 586 , 592 , 596 , 611 , 825

Enacted Over Governor's Veto

Senate Bill: 16 , 65 , 198 , 259 , 299 , 349

House Bill: 5 , 7 , 18 , 44 , 136 , 263 , 388 , 403 , 513 , 517 , 563 , 581 , 622 , 723 , 804

House Concurrent Resolution: 81

Filed Without Governor's Signature With The Secretary Of State

House Bill: 8

Signed By Governor

Senate Bill: 1 , 5 , 11 , 14 , 17 , 18 , 29 , 45 , 46 , 50 , 70 , 71 , 74 , 81 , 107 , 111 , 118 , 125 , 127 , 139 , 140 , 145 , 151 , 155 , 158 , 162 , 164 , 167 , 174 , 188 , 191 , 194 , 199 , 229 , 240 , 249 , 255 , 265 , 280 , 285 , 297 , 319 , 376

Senate Joint Resolution: 58 , 132 , 140 , 149 , 170 , 175 , 179

House Bill: 1 , 3 , 6 , 11 , 13 , 15 , 17 , 22 , 29 , 30 , 31 , 40 , 43 , 52 , 56 , 57 , 68 , 87 , 88 , 99 , 100 , 115 , 122 , 130 , 135 , 137 , 142 , 159 , 161 , 162 , 166 , 167 , 169 , 179 , 186 , 190 , 194 , 200 , 206 , 207 , 214 , 220 , 244 , 248 , 256 , 258 , 264 , 265 , 266 , 267 , 271 , 272 , 274 , 277 , 278 , 280 , 281 , 293 , 300 , 323 , 333 , 335 , 354 , 361 , 371 , 375 , 377 , 378 , 385 , 387 , 397 , 401 , 418 , 436 , 439 , 443 , 444 , 446 , 447 , 449 , 453 , 456 , 459 , 462 , 469 , 470 , 471 , 472 , 475 , 476 , 477 , 482 , 484 , 488 , 491 , 492 , 493 , 495 , 498 , 499 , 505 , 512 , 528 , 533 , 534 , 535 , 551 , 554 , 561 , 583 , 595 , 602 , 619 , 621 , 635 , 657 , 695 , 712 , 715 , 726 , 727 , 752 , 779 , 782 , 829 , 833

House Joint Resolution: 56 , 91 , 92

We studied the linked pages for every bill

Kentucky

General Assembly

Legislators ▾

Committees ▾

Bills

Kentucky Law ▾

Public Services

Legislative Research Commission ▾

Visitors & Education ▾

🏠 / Legislation / 2024 Regular Session / Senate Bills / Senate Bill 1

Senate Bill 1

Actions ⬇ | Amendments ⬇

Last Action	04/04/24: signed by Governor (Acts Ch.41)
Title	AN ACT relating to the endowed research fund and making therefor.
Bill Documents	Acts Chapter 41 📄 Current/Final 📄 Introduced 📄

02/29/24	received in House to Committee on Committees (H)
03/06/24	to Appropriations & Revenue (H)
03/12/24	taken from Appropriations & Revenue (H) 1st reading returned to Appropriations & Revenue (H)
03/13/24	taken from Appropriations & Revenue (H) 2nd reading returned to Appropriations & Revenue (H)
03/25/24	reported favorably, to Rules with Committee Substitute (1) posted for passage in the Regular Orders of the Day for Tuesday, March 26, 2024
03/27/24	3rd reading, passed 86-0 received in Senate enrolled, signed by President of the Senate enrolled, signed by Speaker of the House delivered to Governor

We built (and published) charts for bills that became law

Senate Bills That Became Law With Fast-Track Maneuvers that Challenge the Democracy Principle

Regular Session	Senate Bill	An Act Relating to...	Senate Readings Before First Committee Vote	Senate Committee Sub	Senate Days from Last Committee Vote to Floor Vote	House Readings Before First Committee	House Committee Sub	House Days from Last Committee Vote to Floor Vote	Senate Days from FCCR To Vote	House Days from FCCR to Vote
2024	<u>1</u>	the endowed research fund				2	Yes			
2024	<u>91</u>	providing funding and establishing conditions for state government agencies and institutions		Yes		2	Yes	0		
2024	<u>107</u>	transportation		Yes			Yes	0		
2024	<u>143</u>	amend Constitution of Kentucky relating to persons entitled to vote				2		1		
2024	<u>188</u>	patient access to pharmacy benefits	2	Yes		1		1		
2024	<u>215</u>	motor vehicles		Yes		2				
2024	<u>255</u>	social work	1				Yes			
2024	<u>259</u>	the board of the West End Opportunity Partnership				2				
2024	<u>280</u>	health facilities	2	Yes	1	2	Yes	1		

Key Notes on Our Process

- We didn't expect to get it right the first time. Instead, we relaxed into knowing we'd revise our approaches many times.
- We worked hard on simple, useful wording, AND we still ended up with some complex explanation.
- We invested a lot of volunteer hours.
- Our committee members brought a lot of tenacity, commitment to detail, and determination to explain well to others.
- We sought our internal (LWVKY) and external to review to help us make out work clearer and more useful.

2023 Report Release

- Press conference at Capitol
- Paper copies to legislators
- 50 media stories/mentions
- 16 interviews/presentations
- 11 publications of LWVKY op-ed



2024 Legislative Session

- Rules debate: House & Senate
- Minority Party raised transparency concerns, citing LWVKY report
- House Speaker spoke against the LWVKY study
- Motion to delay Rules vote failed, but 5 Republicans voted with Democrats



Kentucky House Speaker David Osborne, January 2, 2024.
Photo by Jeff Faughender/Courier Journal *USA TODAY NETWORK*

2024 Report Release

- Press conference at Capitol
- Paper copies to legislators
- 36 media stories/mentions
- 7 interview/presentation requests
- 6 publications of LWVKY op-ed

Other

- Summarized by Gov. Beshear at weekly press conference
- Open Government Forum organized by Society of Professional Journalists (SPJ)



House Majority Whip Rep Jason Nemes, LWVKY 1st Vice President Becky Jones, SPJ moderator Al Cross, Kentucky Press Association Executive Director David Armstrong, Sen. Cassie Chambers Armstrong

Recommendations for Navigating Legislative Transparency

- Cultivate relationships with legislative staff
- Tracking state legislation in a strategic manner
- Building up a Lobby Corps to increase advocacy capacity in the Legislature
- Other resources:
 - Webinar: [Navigating Challenging Legislative Environments](#)
 - LWVUS Legislative Office Hours
 - advocacy@lww.org

Q&A