

Hart to revive bill to kill mandated fluoride in drinking water

Capitol Update

FRANKFORT — Two Kentucky lawmakers are hoping 2026 will be the year a bill to remove the state mandate for fluoride in Kentucky's drinking water crosses the finish line.

Rep. Mark Hart, R-Falmouth, has filed legislation similar to House Bill 16 from the 2025 legislative session nine times, he said. The bill did not become law this year, but did receive House approval.

Last week, Hart was joined by Sen. Greg Elkins, R-Winchester, and other stakeholders at the Interim Joint Committee on State Government meeting to testify on a new version of HB 16.

Hart plans to carry the bill in the House, and Elkins said he would file companion legislation in the Senate next year.

"The legislation simply undoes the unfunded mandate in the state of Kentucky that requires water

producers to add fluoride to the water," Hart said.

The newer version of the legislation from Hart would protect local water districts from civil and criminal liability, he said. The decision to add this provision to the bill is the result of conversations with water districts.

"One of the biggest concerns we heard was they were worried about possible litigation," Hart said.

"Doesn't matter whether they keep fluoride in water or take it out, they are afraid they're going to be sued with whatever decision is made."

Dr. Jack Kall, a dentist and the executive chair of the International Academy of Oral Medicine and Toxicology, shared scientific studies with the committee that show water fluoridation might cause lower IQ in children, among other health concerns.

Kall said the fluoride in most toothpaste and other fluoride treatments admin-

istered by dentists are sufficient in preventing tooth decay.

Hart said his legislation is an effort to make water fluoridation a local decision in light of newer studies on the risks and benefits of water fluoridation.

"We're not promoting fluoride one way or another — good or bad," Hart said.

"We're trying to steer away from that conversation, because that's not what the legislation does."

"However, with some of the stuff in the media today, we thought it was necessary to give you a little bit of an education on the risks and benefits for it."

Elkins said he considers the proposed legislation to be "permissive" rather than a requirement.

"It's more of a local control bill to me than anything else," he said.

In commenting on the proposed legislation, Rep. Matthew Lehman, D-Newport, said all of the counties that do not have wa-

ter fluoridation mentioned in Kall's presentation have "robust, publicly funded dental programs."

He wondered if Kentucky should be funding water fluoridation and other dental health initiatives instead of leaving water fluoridation as an unfunded state mandate.

Rep. T.J. Roberts, R-Burlington, said he's received multiple messages asking him to oppose legislation that removes community water fluoridation programs, but he said he believes the proposed legislation is more about local control.

"This is a good piece of legislation that expands the ability for community-based decision making," Roberts said.

"I think it's backed up by data, and I fully support this."

In a continuation of the local control discussion, Rep. James Tipton, R-Taylorsville, asked Hart if the new version of HB



Sen. Greg Elkins, R-Winchester, left, and Rep. Mark Hart, R-Falmouth, tell the Interim Joint Committee on State Government Oct. 21 about their plans to file legislation to remove the state mandate for water fluoridation in 2026.

16 would require a public hearing. Hart said no, but he wouldn't be opposed.

"Maybe you might consider something like that to just make sure that the local people in the local communities are informed, and they have an opportunity to (provide) input on decisions of their local water district board," Tipton said.

Sen. Steve Rawlings, R-Burlington, said he would support the proposed legislation.

"I would also be supportive of a total ban, as Florida and Utah have done to date," he said.

The Kentucky General Assembly cannot take action on new legislation until the 2026 legislative session begins on Jan. 6.

A draft of Hart's proposed legislation can be found here.

The next Interim Joint Committee on State Government meeting is scheduled for Nov. 13 at 3 p.m.

Local schools leader added to state board

KASA

FRANKFORT — The Kentucky Association of School Administrators announced the election of Joe Buerkley, superintendent of Pendleton County Schools, to its board of directors as the representative for the Northern KASA Region.

Buerkley has been actively engaged in KASA's mission, serving on the Government Affairs Team, mentoring new superintendents and working as a district ambassador to help connect leaders across Kentucky.

His collaborative approach and experience as superintendent have positioned him as a strong advocate for public education and effective school leadership.

"Joe Buerkley is an exceptional leader whose contributions will make a lasting impact," KASA Chief Executive Officer Dr. Rhonda Caldwell said.

"We are honored to welcome him to the Board, where his insight and experience will help guide our work in supporting school leaders statewide."

As a member of the Board of Directors, Buerk-



Joe Buerkley

ley will help guide the vision and strategic direction of KASA, an organization representing more than 3,300 school leaders committed to advancing education and ensuring success for all students.

The KASA Board of Directors is composed of school leaders from districts of all sizes and regions across Kentucky. The Board, with 27 voting members, includes four officers, one representative from each of KASA's 11 regions, eight role groups, and representatives from the Kentucky Association of School Superintendents, Kentucky Directors of Pupil Personnel, emeritus members, and the American Association of School Administrators.

These members serve as the voice of school leaders, ensuring KASA remains responsive to the evolving needs of the educational community.

Cannabis update: No providers in Pendleton; gummies pose problems

Capitol Update

FRANKFORT — The Interim Joint Committee on Health Services last Wednesday received an update on medical cannabis dispensaries in the commonwealth.

Senate Bill 47, adopted in 2023, called on the state Cabinet for Health and Family Services to implement, oversee and regulate a medical cannabis program in Kentucky for individuals with certain health disorders.

Cannon Armstrong, executive director of the state Office of Medical Cannabis, said most program practitioners are advanced practice registered nurses and medical doctors.

There are 78 counties represented by practitioners throughout the state and multiple practitioners in some of those counties.

None are in Pendleton County nor in Harrison County, including at Harrison Memorial Hospital. The closest practitioners to Pendleton county are in Alexandria and Walton.

According to the Office of Medical Cannabis, which operates under the auspices of the health cabinet, medical cannabis is "a written certification-based product from the flowers

of the Cannabis sativa L. plant.

Armstrong said qualifying conditions for obtaining the product include cancer, chronic pain, chronic nausea, multiple sclerosis, post traumatic stress disorder and seizure disorder.

Chronic pain and PTSD are the two most common qualifying conditions now, Armstrong said.

Sen. Danny Carroll, R-Paducah, Sen. Karen Berg, D-Louisville, and Moser voiced concerns about the characteristics of cannabis gummies, especially appearance. Armstrong said the actual gummies are expected to be colored.

"The Child Fatality and Near Fatality Review Panel met yesterday and, once again, the majority of cases that we heard were ingesting cases from children — some of them THC," Carroll said.

He called colored gummies a "terrible mistake."

Armstrong said packing for gummies will be child resistant, require a two-step process for the initial opening and will include a tamper-evident seal that is resealable.

Berg said the gummies need to look like medicine, because they're being treated as medicine.

Fiscal court takes on fish-tailers

By Jim Thaxton

FALMOUTH — A special-called meeting of the Pendleton Fiscal Court on Oct. 21 began traditionally with Judge Executive David Fields' call to order, a prayer for guidance, the Pledge of Allegiance and approval of the agenda.

Fields presented two quotes for concrete barriers at the graveled parking lot at the Athletic Park to prevent further abuse in the graveled lot. Vehicles have been "fish-tailing," "drifting" and doing "doughnuts" in the gravel, tossing gravel against the maintenance shed and into the ball fields, he said.

The Court discussed the best way to implement

barriers and offered suggestions on how to prevent future abuse most effectively and cost-effectively. Several magistrates suggested that fencing and gating the area would be less costly and more effective.

The discussion ended with the court leaning towards fencing and gating rather than the concrete barriers.

The court considered the purchase of a 2018 Chevrolet Tahoe up for bid for the county's fire department.

Magistrate Rick Miner requested an explanation of the proposed use of the vehicle. The vehicle would be available for first responders to a scene, for transportation to trainings

and for other department needs, according to the fire department.

The court authorized Fields to bid up to \$25,000 for the vehicle.

Fields brought the court's attention to a costly glitch in an annexed parcel of land attached to the land donated for river access in Moragn. The annexed portion inadvertently resulted in increasing the tax burden on the property owner.

Fields explained this was to make the court aware of the situation and that he was exploring possible ways to find a "win/win" correction to the problem. The judge said he plans to share his findings with the court at a future meeting.

The special-called meeting was adjourned, and the court went into a caucus meeting, when it was agreed to reschedule the Nov. 11 (Veterans Day) meeting to 6 p.m. Nov. 10th.

Fields reported that the bidding on the Kentucky surplus trucks exceeded the amount that he was allotted to spend.

The court discussed bids for hauling and heavy equipment use, bridge repairs on Grimes Road and possible use of speed bumps in Eastside Park and on county roads where vehicles are driving at dangerous rates.

No action was taken in caucus session, which is for discussion only.

Legislative update: Issues hammered out in Interim Session

By Rep. Mark Hart

With barely two months remaining before the 2026 Regular Session convenes, the Interim continues to serve as a crucial period of preparation for lawmakers. The discussions taking place in committee and task force meetings during this time offer a preview of potential legislative priorities and help shape the bills lawmakers plan to file when the General Assembly returns to Frankfort.

Several interim joint committees and statutory committees convened the week of Oct. 20 to discuss potential legislation for next session including issues such as tax collections, water district policies, pension oversight, taxpayer-funded healthcare, and the housing shortage.

Local Government: Lawmakers heard from the Department for Local Government and the Kentucky Fire Commission on local political subdivisions that provide specific services like libraries, tourism, and extensions, commonly referred to as special government entities. The commission reported 16 fewer fire departments since last year due to mergers prompted by staffing challenges. The Kentucky League of Cities also shared 2026 Session priorities: protecting public safety, modernizing infrastructure and services to support growth and improve quality of life, and streamlining government to save taxpayer dollars.

State Government: Members first discussed proposed legislation to amend sections of the Kentucky Constitution to limit the Governor's ability to grant pardons and commute sentences. Then, the commissioner of the Kentucky Department of Parks updated members on the progress of capital projects designed to renovate and improve Kentucky State Parks.

Capital Projects and Bond Oversight: Lawmakers received reports on state-funded construction and maintenance projects, specifically the annual capital project, bond, and debt reports; lease actions; economic development grants; and new school and housing bond issues.

Kentucky Housing Task Force: Lawmakers discussed Lexington's Housing Affordability Partnership and key challenges such as affordability, limited land, high development costs, and access to money. The com-

mittee also heard from stakeholders working on increasing housing in Northern Kentucky.

Public Pension Oversight Board: Members received the annual investment review for public pension plans from legislative staff, including a review of total assets, performance, and peer comparisons to other states with pension systems, allocation review and peer comparisons, overview of investment fees and expenses, net cash flow update, discussed special topics, and other special topics such as benchmarks and policies. As of the end of fiscal year 2025 on June 30, 2025, the pension fund assets by system/plan were \$50.47 billion and retiree health fund assets by system/plan were \$12.52 billion.

Health Services: Members discussed a report regarding Medicaid payments and how to prevent the waste of taxpayer dollars with the Kentucky State Auditor. The committee reviewed potential legislation aimed at regulating companies that coordinate and manage medical care for Medicaid. Members heard testimony on quick response teams designed to reach Kentuckians experiencing an overdose or substance-related crisis.

Veterans, Military Affairs, and Public Protection: Legislators heard from three drug task forces regarding their efforts to counter drug trafficking in Kentucky. One particularly interesting point — experts see a decline in some types of illegal drugs as a direct result of better border security.

Families and Children: Members discussed reductions to the state's TANF-funded family assistance programs as the Cabinet for Health and Family Services reconciles its budget to make it through the 2026 fiscal year. TANF is a temporary safety net created to help individuals become independent through work. Additionally, the committee heard from New Mexico's Secretary of Early Childhood Education, who presented the state's early childhood programs. Finally, the committee heard from Fetal Alcohol Spectrum Disorder advocates. Currently, the state does not recognize the disorder as a disability; therefore, individuals with this disorder do not qualify for state support services.

Medicaid Oversight Advisory Board: Members first discussed

Medicaid reimbursement rates and network adequacy for behavioral health services and dental services, as well as Medicaid rate setting activities. Then, members heard from the Kentucky State Auditor about an audit conducted by the Kentucky Auditor's Office examining Medicaid waste, specifically involving concurrent capitation payments to managed care organization for the same Medicaid recipients. Concurrent capitation payments resulted in over \$800 million of Medicaid waste.

Economic Development and Workforce Investment: Members met to hear from the trade industry on how apprenticeship programs are helping Kentuckians secure high-paying jobs and start life-long careers in our vital industries. The committee heard proposed legislation that would require state and local contracts to use materials manufactured in the United States and establish a procurement preference for metals including iron, steel, and aluminum. Members also heard about the impact of potential worker misclassification within the construction industry.

Licensing, Occupations, and Administrative Regulations: Lawmakers reviewed a proposal that would enter Kentucky into a Dietitian Licensure Compact, allowing dietitians licensed in other member states to practice in Kentucky. This would streamline licensure, reduce administrative barriers, and improve public access to dietetics services across state lines. Members then discussed potential legislation that would create the Kentucky Board of Licensure for Professional Music Therapists. Then, members discussed expanding physician access in Kentucky, specifically through international physician licensing reform.

Tourism, Small Business, and Information Technology: Members continued their study of tourism's potential across the state with testimony from Visit Jessamine, which promotes Jessamine County as a premier destination in Kentucky, contributing an impressive \$87 million to the commonwealth's tourism industry.

I can be reached anytime through the toll-free message at 1-800-372-7181, by email at Mark.Hart@kylegislature.gov, and track Kentucky Legislature at legislature.ky.gov.