Beshear aims to guard against 'harmful impacts' of data centers

BY LIAM NIEMEYER
KENTUCKY LANTERN

Gov. Andy Beshear says he's signing an executive order to protect Kentuckians "against any harmful impacts from potential data centers," directing the state utility regulator and environmental protection officials to take specific actions on data centers.

During a Thursday news conference, Beshear said economic wins "can never come at the cost of the health and safety of our families or the communities we call home."

During the announcement, he stood at a lectern between Angie Hatton, the chair of state utility regulator Kentucky Public Service Commission, and John Lyons, secretary of the Kentucky Energy and Environment Cabinet.

"Any company looking at Kentucky, at minimum, is required to demonstrate they will be good neighbors. They must invest responsibly, operate transparently, and work in partnership with our people and our communities," Beshear said. "They will be held to the same high standards we demand of any potential partner, and they must prove that their investment will deliver lasting benefits to Kentucky's working families."

Beshear, responding to a question from a reporter, said he was issuing the executive order now because "there's a lot of speculation out there" with

LIAM NIEMEYER/Kentucky Lantern

Gov. Andy Beshear, center, said Thursday he's signing an executive order to protect Kentuckians against the potential impacts of data centers. Kentucky Public Service Commission Chair Angie Hatton, left, and Energy and Environment Cabinet John Lyons, right, stood next to Beshear.

some companies talking with county fiscal courts.

"The executive order is going to set a baseline. If you cannot meet it, you're not coming to Kentucky," Beshear said.

Beshear said his executive order would direct the Energy and Environment Cabinet, which issues permits to industrial sites that set limits on air and water pollution, to deny permits to any data center site that would negatively impact air quality; water quality, usage and supply; federally protected wetlands and "natural resources."

He said data center developers would have to submit an "initial energy plan" to the cabinet explaining how the developer would protect businesses and residents from rising utility bills while not "imposing any additional costs on our families."

The Democrat said the order also would direct the Kentucky Public Service Commission to deny requests from utilities that would increase rates "to recover costs caused by the development or operations of a data center." The order also states that data centers must commit to "paying their full and fair share" of local and state taxes.

"The governor's executive order and his directive are clear. The cabinet simply will not permit, not issue a permit that's not protective of human health, our natural resources, and the environment," said Lyons, the Energy and Environment Cabinet secretary.

Hatton, the chair of the PSC, said it was important for the state to learn lessons from other states "that maybe have not implemented data centers in the most effective way to protect ratepayers."

"I'm grateful that we have guidance like this that will provide a framework that allows us, if we allow data centers to develop in our state, that they're done in a thoughtful and deliberate way, and in a way that allows us to protect Kentucky families and ratepayers of every class," Hatton said.

On the final day of this year's legislative session, a bill supported by Rep. Josh Bray, R-Mount Vernon, died that would have required utilities to ensure they prevent "the subsidization of data center customers by non-data center customers through rates or by any other means." At the time, Bray said the state Senate had stood in the way of the bill passing.

In a text message, Bray saod he appreciated the governor's attempt to "ensure Kentuckians' interests are protected in regard to data centers, there is a lot of work left to do."

He said his bill "was much more thorough and provided far better oversight", and he planned to have another bill ready to file the first week of next year's legislative session.

"I remain committed to working on this issue to make sure Kentucky leads the nation in smart energy and economic development policies," Bray said.

In a statement, Kentucky Senate President Robert Stivers, R-Manchester, said the governor's executive order echoes what he already wrote about in a recent column, arguing that data center developers should bear the cost of new infrastructure.

"If we're going to establish a lasting framework for data centers, it should be done the right way, through the legislative process, with input from all involved parties. That's how you produce sound policy that protects ratepayers, respects communities and provides certainty for businesses investing in Kentucky," Stivers said.

Unlike the executive order which he said was "issued for headlines," Stivers said the legislature was working with Kentucky's congressional delegation to make sure state and federal efforts align.

"While the governor has finally embraced the right premise, this is more political theater than public policy," Stivers said. "The governor should spend more time in Kentucky than in South Carolina or New Hampshire where he's obviously been more focused on improving his feeble presidential ambitions."

CHARLIE

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years ago."

When I asked Sarah if she was into other musical styles growing up, she was fairly definitive. "It's pretty much always been the blues for me. Dad would spin the old vinyl records at home, Muddy Waters, John Lee Hooker, all the rest … that was the soundtrack of my childhood. Sure, I was aware of pop music and other styles, but I was born to the blues and it's the style I feel in my bones."

Feeling the music in her bones is a very accurate description when you see Sarah sing. The music seems to inhabit her body, and her vocal control is compelling. I highly recommend getting as close to the stage as you can so you can feel all the power and nuance of her vocal performance.

"We do about 50 gigs a year," she explains, "so it's not a full time profession for us. All of us in the band have various day jobs and other ways of paying the bills. It really has to be a labor of love to give up our weekends and time to keep this band alive. But when we start to play, it's worth all the effort. We love each other and we love the work. It brings us together in a way that I wouldn't trade for anything."

HOT TIP OF THE WEEK

OK, there are 30 listings on the music calendar this week, Wednesday through Sunday. Let that sink in a minute. THIRTY! I'm not sure everyone realizes how unique and special that kind of music scene is for a small Indiana town. Heck, there are larger towns that would love to boast a calendar as full and diverse as ours. Interviewing Sarah Menefee for my column this week, she told me Bloomington, Indiana had nowhere near as much going on. I'm seeing everything from classic rock to honky-tonk to American roots to blues to Christian rock this week. Take your pick people, but pick you must, and get out there and enjoy some live music.

Charlie Rohlfing is a retired advertising man and partner in The Red Bicycle Hall music venue. Look for his distinctive fedora bobbing above the crowd anywhere local live music is happening.

MUSIC EVENTS SCHEDULE

Wednesday, Aug 12

Mad Paddle Brewstillery – Line Dancing (6-8 p.m.)
Madison Lighthouse – Aaron Grubb (6-9 p.m.)
Rivertown Grill – Anthony Ray Wright (7-10 p.m.)
1st Street Saloon – Open Mic Night (8-11 p.m.)

Thursday, Aug. 13

Madison Lighthouse – Charlsee & Cam (6-9 p.m.)
Rivertown Grill – Zach Hackney (7-10 p.m.)
Mad Paddle Brewstillery – L&L Karaoke (7 p.m.)

Friday, Aug. 14

Lytle Park Live Lunch – Keagan Hatton (11:30 a.m.-1 p.m.)
Madison Lighthouse – Eric Bates (6-9 p.m.)
Vintage Lanes – Live Jazz (7-9 p.m.)
Ohio Theatre – Disciple (7 p.m.)
Mad Paddle Brewstillery – Mattie C Band (8 p.m.)
Red Bicycle Hall – This Place Sucks Comedy (8 p.m.)
Central Hotel – Ryan Wissinger (9 p.m.-1 a.m.)
Rivertown Grill – Andy Palmer Live Acoustic (9 p.m.-1 a.m.)
1st Street Saloon – L&L Karaoke (9:30 p.m.-1 a.m.)
Tailgators – DJ Scratchy
Bicentennial Park – Roman Toast with Zeb Haggerty (6:30 p.m.)

Saturday, Aug. 15

Lytle Park Farmer's Market – Keagan Hatton (10 a.m.)
Madison Lighthouse – Kyle Pearl (6-9 p.m.)
Veterans of Foreign Wars – The Keith Swinney Band (7-11 p.m.)
Thomas Family Winery – Donnie Rose (7 p.m.)
Mad Paddle Brewstillery – Ron Poston & The Canyon Wolves (8 p.m.)
Red Bicycle Hall – King Bee & The Stingers with Vaguely Familiar (8 p.m.)
Central Hotel – Jimmy Davis Band (9 p.m.-1 a.m.)
Rivertown Grill – Reckless X (9 p.m.-1 a.m.)
1st Street Saloon – L&L Karaoke (9:30 p.m.- 1 a.m.)
Tailgators – DJ Scratchy

Sunday, Aug. 16

Madison Lighthouse – The Tradesman Trio (2-5 p.m.)
Rivertown Grill – Anthony Ray Wright (7-10 p.m.)

DATA

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not been fully implemented.

Marsh said in communities without planning and zoning, developments like data centers are governed by state regulations, which address broader issues but don't consider whether the development will be harmonious with the community.

He said some communities have adopted development moratoriums — a tactic used to pause certain development that a county has not yet dealt with in its planing and zoning ordinance to allow time to study the issue and amend local regulations as needed — but most of those are communities that already have planning and zoning in place.

Marsh said Carroll could opt for a moratorium but not without legal exposure if the developer has already applied to the state to construct a data center.

The moratorium could be looked at as a delaying or blocking tactic by the developer, who has spent millions laying the groundwork for a project like a data center, and if that investment is lost due to the moratorium the developer might sue the county for damages.

Marsh noted that a community in Texas had recently used a moratorium to delay or block a data center and the developer ended up suing for damages in federal court.

"The data center claimed over $100 million in damages. Immediately the county rescinded the moratorium and tried to work with the data center," Marsh said. "So if the county were ever to choose to go the route … you have to do it within mind that it does expose the county to potential liability. And quite frankly, a $100 million lawsuit, if that was our case, I don't know what the damages would be … but if it was even a 10th of that, it would bankrupt this county in one fell swoop.…

"We are quite frankly, if you were looking at that, in the weakest possible position to be able to do anything because this county does not have planning and zoning," Marsh added. "It would have to be other measures that are more creative, but may not pass the muster of a lawsuit either, locally or federally. So, I just wanted to put that out there for you all if that affects any position of the court, but that's kind of where I'm at."

LEGAL NOTICE

The Carroll County Board of Education is proposing a general fund tax levy of 66.5 cents on real property and 66.5 cents on personal property.

The General Fund tax levied in fiscal year 2026 was 66.5 cents on real property and 66.5 cents on personal property and produced revenue of $6,439,128.87. The proposed General Fund tax rate of 66.5 cents on real property and 66.5 cents on personal property is expected to produce $6,540,264.28. The compensating tax for 2027 is 65.3 cents on real property and 66.1 cents on personal property and is expected to produce $6,439,128.87.

The proposed rate is expected to generate more revenue than received in the preceding year. The general areas to which revenue of $101,135.14 above 2026 revenue is to be allocated are as follows: Cost of collections, $3,034.06, instruction, $63,101.08 and maintenance of plant $35,000.

This information is published pursuant to KRS 160.470. The proposed tax rate is not subject to recall under KRS 132.017.

The General Assembly has required publication of this advertisement and information contained within.

LEGAL NOTICE

NOTICE OF PROPOSED TAX RATES
TRIMBLE COUNTY BOARD OF EDUCATION

The Trimble County Board of Education is proposing a general fund tax levy of **75.4 cents** on real property and 75.4 cents on personal property.
The General Fund tax levied in fiscal year 2026 was 76 cents on real property and 76 cents on personal property and produced revenue of $5,475,883. The proposed General Fund tax rate of 75.4 cents on real property and 75.4 cents on personal property isexpected to produce $5,931,577. Of this amount, $945,600 is from new and personal property.
The compensating tax for 2027 is 72.6 cents on real property and 72.6 cents on personal property and is expected to produce $5,711,307.
The proposed rate is expected to generate more revenue than received in the preceding year. The general areas to which revenue of $455,694 above 2026 revenue is to be allocated are as follows:

- **Cost of collections: $15,949**
- **Instruction: $243,796**
- **Transportation: $102,075**
- **Maintenance of plant: $93,873**

This information is published pursuant to **KRS 160.470**. The proposed tax rate is not subject to recall under KRS 132.017.
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Trimble County Board of Education