

RESOLUTION NO. 58-2013

A RESOLUTION REQUESTING THAT THE KENTUCKY GENERAL ASSEMBLY CONSIDER ADOPTING LEGISLATION GRANTING THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT ETHICS COMMISSION AUTHORITY TO ISSUE ADMINISTRATIVE SUBPOENAS IN RELATION TO ETHICS COMPLAINTS, HEARINGS, AND OTHER MATTERS.

WHEREAS, pursuant to the Code of Ordinances, the Lexington-Fayette Urban County Government Ethics Commission ("Ethics Commission") is charged with enforcing Chapter 25 of the Code of Ordinances, Lexington-Fayette Urban County Government ("Ethics Act") which governs the standard of conduct for officers and employees of the Lexington-Fayette Urban County Government; and

WHEREAS, the Ethics Commission currently lacks subpoena power necessary to compel individuals to appear before the Ethic Commission for any matter relating to the Ethics Act; and

WHEREAS, the lack of subpoena power remains a serious challenge to the Ethics Commission's ability to enforce the Ethics Act and is ultimately a question of state law which the General Assembly must address; and

WHEREAS, without subpoena power, the Ethics Commission is limited in its ability to hear testimony and discuss matters with officers and employees of the Urban County Government thereby lessening its effectiveness; and

WHEREAS, it is imperative that the Ethics Commission be granted the ability to issue administrative subpoenas to compel attendance and testimony concerning possible violations of the Ethics Act.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That the Preamble to this Resolution be and hereby is incorporated by reference as if fully set out herein.

Section 2 - That the Council of the Lexington-Fayette Urban County Government hereby requests that the Kentucky General Assembly consider adopting legislation which would grant the Lexington-Fayette Urban County Government Ethics Commission the authority to issue administrative subpoenas in relation to ethics

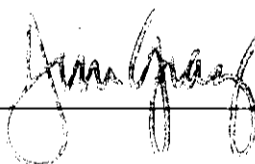
complaints, hearings, and other matters.

Section 3 - That the Clerk of the Lexington-Fayette Urban County Council be and hereby is directed to send a copy of this Resolution to Governor Steve Beshear, 700 Capitol Avenue, Suite 100, Frankfort, Kentucky 40601; Senate President Robert Stivers, 702 Capitol Avenue Annex Room 236, Frankfort, Kentucky 40601; Representative Greg Stumbo, House Speaker, Capitol, Room 309, Frankfort, Kentucky 40601; and the following Fayette County legislators at their respective legislative offices: Senator Tom Buford, Senator Julian M. Carroll, Senator Alice Forgy Kerr, Senator Kathy W. Stein, Representative Sannie Overly, Representative Jesse Crenshaw, Representative Robert R. Damron, Representative Robert Benvenuti, III, Representative Kelly Flood, Representative Ryan Quarles, Representative Stan Lee, Representative Ruth Ann Palumbo, Representative Carl Rollins II, and Representative Susan Westrom.

Section 4 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: February 12, 2013

MAYOR



ATTEST:


CLERK OF URBAN COUNTY COUNCIL