



KENTUCKY GENERAL ASSEMBLY

LEGISLATIVE HANDBOOK

November 2021

**Kentucky
General Assembly**

Legislative Handbook

Legislative Research Commission
Frankfort, Kentucky
November 2021

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Foreword

This handbook is a convenient guide to the procedures and practices of Kentucky's General Assembly.

Being a member of the Kentucky General Assembly is no easy task. Membership brings with it a great demand on a legislator's time, energy, and intellect. Many hours are required for studying issues, attending committee meetings, and addressing constituent concerns. It is hoped that as you embark on this new endeavor, you will find this handbook helpful.

New members arrive today perhaps taking for granted a transparent, independent legislative process. That was not always the case. The legislature's status and recognition as an independent, equal branch of state government is relatively new. When the Legislative Research Commission was created in 1948, the governor served as its chair, selected legislative leaders and committee chairs, and determined the legislative agenda. The road to full independence has been a long one. Not until 1977 was the LRC director selected by legislative leadership and not by the governor. The last vestige of executive branch control of the legislature disappeared with adoption of the 1992 Constitutional Amendment removing the lieutenant governor as President of the Senate and filling that office with a Senator elected by Senators.

Throughout history, the legislative branch has worked to create an institution that provides the ultimate of public service for its citizens by evolving into a better-equipped and more efficient legislature. That work will never and should never be complete. It is now an institution in your hands and in your charge. Challenges you face will be to ensure that it continues to evolve on a course that is consistent with the public welfare, creates sound public policy applicable to an increasingly diverse citizenry while maintaining public trust, and allows for the operation of its business in an orderly, efficient, and open manner.

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Frankfort, Kentucky
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The *Legislative Handbook* is a general guide to provide legislators with a brief summary of the Kentucky General Assembly and various processes. Please note that rules and procedures may change and tend to differ between chambers. Members are encouraged to ask their leadership or their partisan staff for a more detailed explanation of policies and procedures.

Chapter 1

Kentucky's General Assembly

The development of representative government in America covers more than 3 centuries. A basic concept of our system is the coordinate position of the three branches of government: the legislative, the executive, and the judicial. This separation of powers has never been absolute, but the process of determining public policy, establishing the means for its implementation, and reviewing its administration remains the business of the legislature.

The executive branch enforces and administers the laws. The governor also is assigned some powers directly related to the legislative authority of the General Assembly. The governor is directed to give the General Assembly information on the state of the Commonwealth and to recommend for its attention such measures as may be deemed expedient. This responsibility applies particularly to the executive branch's biennial budget recommendation, which the governor is required by law to submit to the General Assembly. The governor may veto bills—except bills proposing amendments to the Constitution of Kentucky—and may veto particular line items in appropriation bills. The governor may convene extraordinary sessions. The judicial branch is empowered to interpret laws and to declare them unconstitutional.

Legislative Power

The constitution vests the entire legislative power of the Commonwealth of Kentucky in the General Assembly. The basic job of the legislature is to make the state's laws, to determine the duties and services of the government, to provide for their execution, and to levy taxes and appropriate funds for their support. The General Assembly represents the people of the state. It is the primary channel through which citizens hold their government responsible. The legislature sets the public policy for the state.

The power to enact laws is restricted only by federal treaties and federal and state constitutions. No laws, except those relating to a few specified matters, may take effect upon the approval of any authority except the General Assembly. The fields in which the General Assembly must legislate are defined by the constitution; however, it may also legislate in any other areas not expressly prohibited by the constitution.

Other Powers

The legislature's job is not limited to lawmaking. It may impeach the governor or any other civil officer for misdemeanor in office. The Senate is not subject to a limit on the length of sessions while sitting as a court of impeachment. The General Assembly also judges contested elections for governor and lieutenant governor. It has exclusive power to initiate changes in the constitution by proposing amendments or providing for a referendum on calling a constitutional convention.

The constitution provides for legislative oversight of the executive branch. The secretary of state must, upon request of either house, present to the requesting house a register of all of the governor’s official acts. Reports of investigations of the treasurer’s and auditor’s accounts must be transmitted to the legislature. The governor is required to secure legislative confirmation of certain appointments.

Senate confirmation is statutorily required for some or all appointments to the following appointments:

Administrative Office of the Courts, director	KRS 27A.050
Agricultural Development Board	KRS 248.707
Bi-state Authorities	KRS 175B.030
Coalbed Methane Well Review Board	KRS 349.055
Council on Postsecondary Education	KRS 164.011
County Employees Retirement Systems, board of trustees	KRS 78.782
Department of Fish and Wildlife Resources Commission	KRS 150.022
Department of Insurance, commissioner	KRS 304.2-020
Department of Workers’ Claims, administrative law judges	KRS 342.230
Department of Workers’ Claims, commissioner	KRS 336.020, KRS 342.213 & KRS 342.228
Eastern Kentucky University, board of trustees	KRS 164.321
Education Professional Standards Board	KRS 161.028
Employers’ Mutual Insurance Authority, board of directors and manager	KRS 342.807/ KRS 342.809 & KRS 342.813
Governor’s Postsecondary Education Nominating Committee	KRS 164.005
Kentucky Board of Education	KRS 156.029
Kentucky Claims Commission	KRS 49.020
Kentucky Community and Technical College System, board of trustees	KRS 164.321
Kentucky Housing Corporation, private directors	KRS 198A.030
Kentucky Lottery Corporation, board of directors	KRS 154A.030
Kentucky Public Transportation Infrastructure Authority	KRS 175B.015
Kentucky State University, board of trustees	KRS 164.321
Kentucky Retirement Systems, board of trustees	KRS 61.645
Mine Safety Review Commission	KRS 351.1041
Morehead State University, board of trustees	KRS 164.321
Murray State University, board of trustees	KRS 164.321
Northern Kentucky University	KRS 164.321
Parole Board	KRS 439.320
Personnel Board	KRS 18A.050
Prescription Monitoring Program Compact, commissioners	KRS 218A.391
Project Authorities	KRS 175B.035
Public Service Commission	KRS 278.050
Registry of Election Finance	KRS 121.110
Teachers’ Retirement System, board of trustees	KRS 161.250
University of Kentucky, board of trustees	KRS 164.131

University of Louisville, board of trustees	KRS 164.821
Western Kentucky University, board of trustees	KRS 164.321
Workers' Compensation Board	KRS 342.213

Legislative Sessions

Regular sessions of the General Assembly are limited to 60 legislative days every even-numbered year and 30 legislative days every odd-numbered year. A “legislative day” is defined as a calendar day, excluding Sundays, legal holidays, and any day on which neither house meets. The even-year session convenes on the first Tuesday after the first Monday in January and may not continue beyond April 15 of that year. The odd-year session also convenes on the first Tuesday after the first Monday in January, usually recesses after 1 week, then reconvenes on the first Tuesday in February, and must adjourn by March 30. During the first part of the odd-year session, members elect legislative leaders, adopt rules of procedure, organize committees. They may introduce and consider legislation at any time during an odd- or even-year session.

The constitution allows the governor to convene the General Assembly by proclamation “on extraordinary occasions” to consider only those subjects stated in the proclamation, or “call.” However, the General Assembly has certain inherent powers that may be exercised even if not in the call, such as the power to investigate, inspect, or petition.

Membership

The constitution specifies that there are 38 Senators and 100 Representatives. Senators must be at least 30 years old and must have resided in Kentucky for 6 years immediately preceding their election, the last year in their district. Representatives must be at least 24, with 2 years’ residence in the state, the last year in their district. Each house is the sole judge of the elections and qualifications of its members.

Districts

The constitution directs the General Assembly to redistrict every 10 years. Districts must be as nearly equal in population as possible. A 1994 Kentucky Supreme Court decision recognized that counties must be split to achieve population equality among legislative districts, but found that county integrity should be balanced with population equality to accommodate both principles to the extent permissible under federal law. The counties forming a district must be contiguous, according to Section 33.

Election And Terms

The primary election for nominating members of the General Assembly is held on the first Tuesday after the third Monday in May of even-numbered years. Persons seeking their party’s nomination for election to the General Assembly must file nominating papers with the secretary of state not later than the first Friday following the first Monday in January preceding the May primary. The deadline for filings by independent candidates is the first Tuesday after the first

Monday in June preceding the regular election. Candidates are required to report periodically to the Registry of Election Finance on the financing of their campaigns and are required to file a statement of financial interests with the Legislative Ethics Commission. The nomination or election of a candidate who fails to comply with campaign finance filing requirements shall be void. Candidates who are unopposed or who receive a plurality of votes in the primary receive a certification of nomination. Their names are placed on the ballot for the regular election, which is held the first Tuesday after the first Monday of the following November.

Representatives are elected for 2-year terms. Senators serve 4-year terms, with half the Senate elected every 2 years. Senators and Representatives begin their terms on the first day of January immediately succeeding their elections. A legislator resigning during the interim between sessions writes a letter of resignation to the governor. During a session, a Senator addresses his or her resignation to the President of the Senate; a Representative to the Speaker of the House.

When a vacancy occurs in either house during a session, the presiding officer issues a writ directing the proper sheriff to hold a special election on a designated date. If the General Assembly is not in session, the governor issues a writ calling a special election. No person can be appointed to the General Assembly.

Rules

The General Assembly is organized and operates according to definite procedures established by the Rules of each chamber. These Rules are only effective for the duration of the session for which they are adopted. These Rules define the order in which the business of the Senate or the House of Representatives is conducted; the various motions that may be offered to accomplish that business; duties of various leaders and employees, including the presiding officers; types of committees and their jurisdiction and duties; hours of meeting; attendance and decorum of members; methods of voting; and other general procedural matters. The entire legislative operation depends on the Rules. Each chamber adopts its Rules by way of a simple resolution.

According to parliamentary law and precedent, each house of a legislative body is the sole judge of its Rules. Rules may be suspended by the affirmative vote of a majority of the members elected: 20 Senators or 51 Representatives. The suspension, however, must be for a stated purpose and ends at completion of that purpose.

Chapter 2

Being a Legislator

A member of the General Assembly has certain duties and privileges. A legislator has a responsibility to the people of the district, who have chosen him or her to represent them. A legislator has a responsibility to the Commonwealth to uphold the provisions of the constitution and to look to the common well-being of all Kentuckians.

Session Activities

Privileges And Immunities

Every legislator has the right to introduce bills and resolutions, offer motions, debate, and vote on any matter before the body. A member may not be arrested while going to, attending, or returning from a session, except in case of treason, felony, or breach of the peace; and a member may not be made to stand trial in any civil action during a session of the legislature. A member's legislative acts may not be questioned in any other place.

Decorum And Discipline

Members are subject to discipline by their colleagues for transgression of the rules of order and decorum, in speech or otherwise. The Senate or House may, by vote of two-thirds of those present, discipline a member by censure, fine, or expulsion. A special committee is appointed to investigate and report on any charge of breach of privilege or contempt. The accused person has a right to appear before the committee with witnesses and counsel. The committee reports to the whole house for action.

The Rules provide that members shall not address each other by name on the floor. Senators usually refer to each other as "the Senator from (name of county or district)," and House members refer to a colleague as "the Gentleman from..." or "the Lady from..." Senators address the presiding officer as "Mr. President" or "Madam President," and House members address the presiding officer as "Mr. Speaker" or "Madam Speaker." A member who uses objectionable language or who is otherwise disorderly on the floor may be called to order by the chair.

Legislative Ethics Commission

The Kentucky Legislative Ethics Commission is an independent authority established in the legislative branch to administer and enforce Kentucky's Code of Legislative Ethics. The code applies to members of the General Assembly, legislative agents (lobbyists), and employers of legislative agents. In addition, several provisions of the code, including the financial disclosure requirements in the code apply to candidates for election to the General Assembly.

The Code of Legislative Ethics covers four broad areas:

- Conduct of members of the General Assembly, and legislative candidates;
- Financial disclosure requirements for members of the General Assembly, legislative candidates, and key legislative staff;
- Registration of legislative agents and their employers, along with reporting of expenses and financial transactions; and
- Conduct of legislative agents and their employers.

The code was enacted in the 1993 Special Session of the General Assembly and can be found in KRS 6.601 to 6.829. The law identifies potential conflicts between public service and private interests and provides guidelines to enable public officials to avoid those conflicts. Members of the General Assembly need to be aware of provisions governing potential conflicts relating to business interests or elective, appointive, or employment positions that may be held while serving as a legislator.

The financial disclosure statements that legislators must file by February 15 of each year for the previous calendar year disclose such items as income, property, and investments. The statements become public records when received by the Ethics Commission.

As part of its responsibility in enforcing the code, the Legislative Ethics Commission is authorized to issue advisory opinions in response to questions about the interpretation of any part of the code. Every member of the General Assembly and legislative candidate should carefully study the provisions of the code as well as the advisory opinions interpreting those provisions. The Ethics Commission annually conducts a program for legislators to provide guidance on ethics statutes, explanations of legal requirements, and applications of the law. The Ethics Commission staff also consults on ethics issues with individuals covered by the code, and answers questions concerning the code by telephone or written correspondence.

The Legislative Ethics Commission is also responsible for investigating complaints of alleged violations of the code by legislators, candidates, legislative agents, and their employers. Within 10 days of receiving a complaint, the Ethics Commission shall serve the complaint via certified mail upon the person alleged to have committed a violation (the respondent). Within 20 days of receipt, the respondent may file an answer. Within 10 days after receiving the answer, or the time expires for the filing of an answer, the Ethics Commission shall initiate a preliminary inquiry into the alleged violation. Within 30 days of commencement of the inquiry, the Ethics Commission shall notify the respondent of the status of the complaint and a general statement of the applicable law.

During the preliminary investigation, the respondent has the right to be represented by counsel and to offer sworn testimony in response to the allegation. All Ethics Commission records and proceedings related to a preliminary

investigation are confidential, unless the respondent or complainant makes a public disclosure of the investigation.

If the Ethics Commission determines there is probable cause to believe a violation of the Code of Legislative Ethics has been committed, the commission may initiate a formal adjudicatory proceeding or issue a confidential reprimand, depending on the nature of the violation. An adjudicatory proceeding is similar to a civil trial in that parties have the right to be represented by counsel and to call witnesses to testify. The proceedings are conducted in public.

If the Ethics Commission finds clear and convincing proof of a violation, based on the evidence presented at the hearing, the commission may:

- order the violator to file a report or other information required by the Code of Ethics;
- order the violator to cease the violation;
- issue a civil penalty of not more than \$2,000;
- revoke the registration of a legislative agent or employer for up to 5 years;
- issue a public reprimand of the violator; or
- recommend sanctions to the house in which the violator serves.

Final determinations by the Ethics Commission may be appealed to Franklin Circuit Court.

Hours Of Work

The time spent in session varies. Daily meetings of the chambers usually last less than an hour in the early days and lengthen as the session progresses. In the final weeks, both chambers may remain in session until the late hours of the evening. Unless otherwise set by motion or resolution, both chambers convene in the early afternoon, except on Monday, when the hour for convening is 4 p.m., and on Friday, when the chambers may convene at 9 or 10 a.m. Saturday sessions usually are not held.

The amount of time a member spends on committee work will vary with committee assignments. Committee members should attend meetings without fail and study carefully the bills referred to them because the committee's report will have significant influence on the fate of a bill. Each committee considers a substantial number of bills.

By far the greatest amount of a legislator's time will be spent studying legislative proposals, preparing for committee meetings, meeting with parties interested in a proposal, handling constituent requests, and meeting with Legislative Research Commission staff.

Attendance

Regular attendance at sessions is the best way to keep current on action in the General Assembly. It is also essential to the General Assembly's operation. A

majority of the members elected must be present before business can begin. Before any measure can be passed in either chamber, it must be approved by a majority of the members voting; this majority must consist of at least 40 Representatives and 16 Senators. A bill appropriating money, creating debt, having an emergency clause, or calling a constitutional convention requires the approval of a majority of all members elected to each house, or at least 20 Senators and 51 Representatives. A bill proposing to amend the constitution requires at least 60 votes in the House of Representatives and 23 in the Senate: three-fifths of the elected membership.

During an odd-year session, there is an additional constitutional requirement that legislation raising revenue or appropriating funds receive approval of at least three-fifths of the members elected to each chamber.

No member may be absent from a session without obtaining leave from the body, which is customarily granted by both the House and Senate each day. Payment of per diem or expenses is not authorized for unexcused absences. In the absence of a quorum, 15 Representatives or eight Senators may order a call of the chamber and send the Sergeant-at-Arms to arrest absent members and compel their attendance. Four Senators or five Representatives may meet and adjourn to the next day in the absence of a quorum.

If the hour to convene a particular day's session has been set pursuant to a motion carried during the preceding legislative day, members should be present at the scheduled hour without regard to intervening conditions such as inclement weather.

Speeches And Debate

The Senate and House Rules control the debate process. Debate is limited in the General Assembly, and speeches are not printed in the *Journal* unless an individual legislator requests that his or her remarks be spread upon the *Journal* and the chamber concurs. No Senator or Representative may speak more than 30 minutes in the aggregate on any question. In both chambers a member may not speak more than once on the same question until every member desiring to speak has been heard. Debate may be limited further by adoption of a motion setting the length of time for speaking. The presiding officer of each chamber divides the time for speaking among the members. Debate is not permitted on some motions, such as a motion to adjourn or to lay a bill on the table. Each legislator has 3 minutes to explain his or her vote on a bill or on any motion that is debatable.

Constituents

In recent years, legislators have experienced a dramatic increase in numbers of requests from constituents. These requests are varied, and each constituent expects some response to his or her inquiry. Often it is a matter of finding the correct agency in state government to which to refer the inquiry, accompanied by staff follow-up. The LRC Office of Constituent Services and each leadership

office of the respective chambers and parties are available to assist legislators in these matters.

Visitors

Individuals and groups visiting the Capitol to watch the General Assembly in action are admitted to the visitors' galleries. When the General Assembly is in session, a legislator may submit the names of guests to the Clerk, who will read them to the session.

Senators' families have the privilege of appearing on the floor of the chamber after obtaining a pass from the Senate President's Office, and the Senate may extend this privilege to others for a limited time. Special sections of the House gallery are reserved for Representatives' families. Other sections of both galleries are set aside for guests of members, who are admitted after presenting an identification card signed by the presiding officer. Identification cards of Senate guests must be signed also by the host Senator. Members may obtain these cards from Clerk's offices of the House and Senate.

Privilege Of The Floor

Authorization for persons other than members to remain on the floor during session proceedings may be granted by adoption of a motion by either chamber for the day and on behalf of the person authorized. No unauthorized person may enter the chamber for 2 hours prior to the time of convening through 2 hours after adjournment each day in the House, or for 1 hour prior to the time of convening through one-half hour after adjournment each day in the Senate.

Seating Arrangements

New members not yet assigned seats may request any seat not already assigned from the office of the President of the Senate or the Speaker of the House, as the case may be. The Legislative Research Commission publishes seating charts for each chamber.

Interim Activity

The standing committees of each chamber of the General Assembly continue to function during the interim under the rules of the Legislative Research Commission. This activity involves every member of the General Assembly in some form of interim work.

After a session concludes, members undertake a 6-month period of interim study and committee work prior to the next regular session. The activity in which a member may engage during this time will vary according to his or her areas of interest and committee assignments.

Interstate Cooperation

The Legislative Research Commission in its role as the Kentucky Commission on Interstate Cooperation, appoints members of the General Assembly to represent

the Commonwealth on the various committees and subcommittees of the Council of State Governments, Southern Legislative Conference, and the National Conference of State Legislatures (see Appendix A). Staff also serve in key roles in support of these organizations.

Oversight Of Executive Agency Operation

The General Assembly has established several statutory committees by which its members may exercise oversight of executive agency operations during the interim. Below are the committees, with the year of establishment and method of appointment.

- **Administrative Regulation Review Subcommittee (1972)** - Eight members: three Senators appointed by the President, one Senator appointed by the Senate Minority Floor Leader, three Representatives appointed by the Speaker, and one Representative appointed by the House Minority Floor Leader. The subcommittee reviews and comments on proposed administrative regulations.
- **Capital Planning Advisory Board (1990)** - Sixteen members appointed by the House Speaker, Senate President, governor, and chief justice to represent the public and the legislative, executive, and judicial branches of state government. The board prepares a comprehensive statewide capital improvements plan and makes funding recommendations to each branch on state spending for capital projects.
- **Capital Projects And Bond Oversight Committee (1979)** - Eight members: three Senators appointed by the President, one Senator appointed by the Senate Minority Floor Leader, three Representatives appointed by the Speaker, and one Representative appointed by the House Minority Floor Leader. The committee oversees expenditure of funds for capital projects and issuance of bonds by government.
- **Child Welfare Oversight And Advisory Committee (2018)** - Ten members: three Senators appointed by the President, two Senators appointed by the Senate Minority Floor Leader, three Representatives appointed by the Speaker, and two Representatives appointed by the House Minority Floor Leader. The committee reviews, analyzes, and provides oversight on child welfare issues, including foster care, adoption, and child abuse, neglect, and dependency.
- **Commission On Race And Access To Opportunity (2021)** - Thirteen members: two Senators appointed by the President; two Senators appointed by the Senate Minority Floor Leader; two Representatives appointed by the Speaker; two Representatives appointed by the House Minority Floor Leader; one member appointed by the President and the Speaker from a list of three names provided by the Prosecutors Advisory Council; and four members from the private and nonprofit sectors, universities, or local governments, one appointed by the President, one appointed by the Speaker, one appointed by the Senate Minority Floor Leader, and one appointed by the House Minority Floor Leader. The commission studies and researches issues where disparities

may exist across many sectors to identify areas of improvement in providing services and opportunities for minority communities.

- **Education Assessment And Accountability Review Subcommittee (1998)** - Eight members: three Senators appointed by the President, one Senator appointed by the Senate Minority Floor Leader, three Representatives appointed by the Speaker, and one Representative appointed by the House Minority Floor Leader. The subcommittee advises the Kentucky Board of Education concerning the implementation of the state system of assessment and accountability. It also advises and monitors the Office of Education and Accountability.
- **Government Contract Review Committee (1978)** - Eight members: three Senators appointed by the President, one Senator appointed by the Senate Minority Floor Leader, three Representatives appointed by the Speaker, and one Representative appointed by the House Minority Floor Leader. The committee reviews contracts between state government and contractors performing professional services.
- **Legislative Oversight And Investigations Committee (1978 revised 2021)** - Sixteen members: six Senators appointed by the President of the Senate, two Senators appointed by the Senate Minority Floor Leader, six Representatives appointed by the Speaker of the House, and two Representatives appointed by the House Minority Floor Leader. Formerly the Program Review and Investigations Committee, this serves as the main investigative committee of the General Assembly and reviews operations of state agencies.
- **Medicaid Oversight And Advisory Committee (1998)** - Ten members: four Senators appointed by the President, one Senator appointed by the Senate Minority Floor Leader, four Representatives appointed by the Speaker, and one Representative appointed by the House Minority Floor Leader. The committee monitors the implementation of Medicaid within the Commonwealth, including access to services, utilization of services, quality of services, and cost containment.
- **Public Pension Oversight Board (2013)** - The Public Pension Oversight Board assists the General Assembly with its review, analysis, and oversight of the administration, benefits, investments, funding, laws, administrative regulations, and legislation pertaining to the stat-administered retirement systems.
- **Tobacco Settlement Agreement Oversight Committee (2000)** - Twelve members: four Senators appointed by the President, two Senators appointed by the Senate Minority Floor Leader, four Representatives appointed by the Speaker, and two Representatives appointed by the House Minority Floor Leader. The committee reviews each project submitted to the Agricultural Development Board for funding from the Tobacco Settlement Fund.

Special And Other LRC Committees

During an interim, the Legislative Research Commission may establish special committees and subcommittees and appoint and staff other types of committees

created for various purposes. The latter creations may result from legislative directive or in some cases upon motion of the Commission.

These committees, subcommittees, and task forces consist of legislators as members, require appointment of members by the Legislative Research Commission or by the President and Speaker, and are staffed by the Commission. Nonlegislators with specific expertise or interest may be appointed to these special committees.

Travel

On occasion, a member of the General Assembly may be required to travel out of state to attend various regional or national conferences or meetings of committees involving interstate cooperation. As provided in the Code of Legislative Ethics, a legislator may accept prepaid transportation, food, and lodging, or be reimbursed for actual expenses for out-of-state travel associated with legislative duties if the legislator obtains prior approval from the Legislative Research Commission. A Senator's request for out-of-state travel should be forwarded to the President of the Senate, and a Representative's request should be sent to the Speaker of the House. However, a legislative agent (lobbyist) or employer of a lobbyist shall not furnish or pay for out-of-state transportation or lodging for a legislator.

Space And Facilities

The physical areas in which a Kentucky legislator works consist of a desk on the chamber floor, the various rooms in which the committees hold their meetings, and office space in the Capitol Annex.

Chamber Desk

During a session, much of the time a member devotes to being a legislator is spent at his or her desk on the floor of the chamber. The chamber desk of a Representative is virtually identical to the chamber desk of a Senator, with the exception of the roll call, request to speak, and Page summons switches on the desk of a House member. These desks are small, situated closely together, and afford little storage space. Each desk includes a computer terminal, which enables the members to access the text of all bills and amendments.

Committee Rooms

The various standing, interim, and special committees of the General Assembly and the Legislative Research Commission are assigned meeting space in the Capitol and the Capitol Annex. The committee rooms in the Capitol Annex have been equipped to allow for videoconferencing, as well as live streaming if required. All of the Capitol Annex committee rooms have been equipped with assisted listening devices for the hearing impaired. These can be requested and checked out through the LRC Security office in Room 157 Annex. A small amount of meeting space is available in the Capitol.

Legislative Lounge

Legislative lounge/reception areas, located on the second, third, and fourth floors of the Capitol Annex, provide legislators a relaxed atmosphere in which to study and confer with each other or with staff. Admission to these areas is limited to members of the General Assembly and their immediate families, and to LRC staff on specific invitation.

Parking

Space is reserved for legislators' cars on the second level of the parking garage. This level is connected directly by a tunnel to the basement of the Capitol Annex. Each legislator receives a parking permit to attach to his or her vehicle, indicating membership in the General Assembly. These are available in the offices of the Speaker of the House and the President of the Senate.

Office Space

Office accommodations for individual legislators are on the second, third, and fourth floors of the Capitol Annex. Assignment of offices is made by the leadership or their designees in each chamber. Visitors must acquire a pass for admission to these office areas.

Compensation And Allowances

Compensation In Session

During regular and extraordinary sessions of the General Assembly, members receive a per diem of \$188.22 for each calendar day. Additionally, each member receives an unvouchered expense allowance per calendar day equal to 110 percent of the expense allowance paid federal employees. Currently, that amount is \$166.10. Each session, members receive a stationery allowance: \$500 for Senators and \$250 for Representatives. Members also receive an annual postage allowance of \$1,459. For travel to and from their homes to the Capitol, members are paid the federal mileage allowance for one round-trip per week of the session, plus any necessary road tolls.

Members of the legislative leadership and the committee chairs receive additional per diem depending on the leadership position or the number of committee meetings chaired.

Interim Compensation

During the period between sessions, legislators receive a monthly expense allowance, also unvouchered, of \$1,788.51. In addition, they receive \$188.22 per diem for days spent attending meetings of interim committees, subcommittees, or other special committees plus actual expenses for which vouchers are available. Most chairs of interim committees receive an additional \$18.71 for each meeting chaired.

Rental/Lease Arrangements

Legislators who rent, lease, or own property in Frankfort or surrounding cities/counties are permitted to use that property for an overnight stay to attend legislative meetings in Frankfort during the interim if they meet the following requirements:

- Home must be over 40 miles away.
- A copy of the lease or fair market rental value must be on file in the LRC General Assembly Business Office.
- The amount must not exceed the maximum amount allowed for the month.
- The actual night spent must be noted on the voucher.

The interim rental/owned rate is based on the average cost of daily hotel/motel reimbursements to legislators during the prior year's legislative interim. The rates used are Frankfort hotels/motels.

Legislative Retirement Options

General Assembly members may elect to participate in the Legislators' Retirement Plan (LRP) within 30 days of taking office. If a member does not elect to participate in LRP, he or she shall participate in the Kentucky Employees Retirement System (KERS), the same retirement system provided to state employees.*

Legislators who are contributing members of the Teachers' Retirement System (TRS), such as a teacher at a local school district, may elect to retain coverage in TRS within 90 days of taking office.

*Legislators who do not elect to participate in LRP and who have prior service in the County Employees Retirement System (CERS) or the State Police Retirement System (SPRS) but have not retired from CERS or SPRS, shall participate in that system instead of KERS.

Retirement Benefits

Each retirement system or plan provides three types of benefits: a retirement benefit, health insurance benefits after retirement, and disability/death benefits. The information below provides a brief summary of LRP/KERS benefits.

LRP/KERS Retirement Benefits For Members Contributing Prior To January 1, 2014

Members who began contributing to LRP or KERS prior to January 1, 2014, participate in a traditional defined benefit plan, which means benefits are paid based on a formula rather than on an account balance. In general, the formula to determine retirement benefits for these members is as follows:

$$\text{Final Compensation} \times \text{Benefit Factor} \times \text{Years of Service} = \text{Annual Benefit}$$

Final compensation is the average salary at retirement, the benefit factor is a percent set by statute, and service is earned or purchased service credit.

Note: An easy way to view this type of benefit is to think of the benefit factor as an income replacement rate. For example, the LRP benefit factor for most pre-2014 members is 2.75 percent. This means the formula provides 2.75 percent of a retiring member's average salary for each year of service. If the member has 30 years of service, the benefit would provide 82.5 percent of the retiring member's average salary.

LRP/KERS Retirement Benefits For Members Contributing On Or After January 1, 2014

Members who began contributing to LRP or KERS on or after January 1, 2014, participate in a cash balance plan, which bases benefits on an account balance rather than on a formula. In the cash balance plan, a portion of the employee's contribution (5 percent of pay) goes into an individual account, along with an employer pay credit of 4 percent of pay. Members receive a calculated return based on the performance of the fund. Members will be vested for employer contributions and investment returns on those employer contributions after 5 years. Upon reaching retirement eligibility, members will be able to take their account balance in a lump-sum or have it annuitized into one of the monthly benefit payment options offered by the system or plan.

Retiree Health Benefits

LRP and KERS provide access to group rates on medical insurance and other managed care coverage for retired members, their spouses, and their dependents. For members who began participating in LRP prior to January 1, 2014, or in KERS prior to July 1, 2003, a percentage of the premium is paid based on years of service at retirement with the full payment of the premium subsidy being provided at 20 or more years of service credit. Members who begin participating in LRP on or after January 1, 2014, or in KERS on or after July 1, 2003, receive a set dollar amount toward their health coverage upon retirement. The payment is set at \$10 per month for each year of service credit and is increased by 1.5 percent annually.

Disability And Death Benefits

Like most defined benefit plans, LRP and KERS also provide benefits for those employees who become disabled or who die prior to retirement. Upon retirement, members may select options to provide additional benefits to their beneficiaries upon their death.

How Benefits Are Funded

LRP and KERS have three funding sources: employee contributions, employer contributions, and return on investments. The employee contribution rate is set by state law and is 6 percent of compensation for legislators entering service after

August 2008. Employers contribute at a rate determined by the system’s or plan’s consulting actuary.

Questions About Coverage And Benefits

The retirement information contained in this handbook is general in nature. Members with specific questions regarding retirement benefits or eligibility for benefits should contact the agencies that administer LRP or KERS. Members who have service in another state-administered retirement plan or system prior to becoming a legislator may wish to contact the plan or system administrator to see how their overall benefits will be impacted through their participation in LRP or KERS as a legislator. The administrators of the state-administered retirement plans or systems are below:

Judicial Form Retirement System (JFRS) administers the Legislators’ Retirement Plan (LRP) and the Judicial Retirement Plan (JRP)	502-564-5310 kjfrs.ky.gov
Kentucky Public Pensions Authority (KPPA) administers the Kentucky Employees Retirement System (KERS), the County Employees Retirement System (CERS), and the State Police Retirement System (SPRS)	800-928-4646 kyret.ky.gov
Teachers’ Retirement System (TRS)	800-618-1687 trs.ky.gov

Insurance Coverage

Members may elect to participate in the Kentucky Employees Health Plan, the same plan provided to state employees and teachers. A portion of the health insurance premiums for members, their spouses, and dependents is also paid by the state. Finally, members receive \$20,000 term life insurance benefits paid by the state. They may elect to pay for coverage in excess of this amount.

Other Services And Relationships

Media

Action in the legislature is reported to the public by a group of Capitol reporters representing various newspapers, news services, and broadcast media. Most of these reporters have covered several sessions of the General Assembly and have a good understanding of Kentucky government. Many of the media offices are located on the southwest side of the second floor of the Capitol, and tables are reserved in the chambers for members of the working media. A good relationship with the media will enhance a legislator’s effectiveness in serving constituents and the Commonwealth (see also Chapter 11 for information on LRC’s Public Information Office).

Kentucky Educational Television (KET) televises the daily activity on the Senate and House floors, as well as provides extensive coverage of committee activity during the session. This public exposure to the legislative branch of state government has increased statewide awareness of the activities of the General Assembly. KET also provides limited weekly reviews of interim committee

activities. In addition, committee meetings may be broadcast on the LRC YouTube channel.

Legislative Agents

Many representatives of organized groups are present during the session to look after the interests of their constituents. These people keep track of pending legislation and attempt to influence the attitudes and opinions of legislators. Legislative agents are often sources of information on legislative questions, as well as spokespersons for the groups they represent.

Kentucky law requires these agents or lobbyists and their employers to register with the Legislative Ethics Commission and file periodic statements of their lobbying expenditures. Legislators and the public can determine if a particular lobbyist is properly registered by contacting the Legislative Ethics Commission.

Many provisions of the Code of Legislative Ethics apply to interaction between legislators and legislative agents. Any questions regarding the law pertaining to legislative agents should be directed to the Legislative Ethics Commission.

Executive Branch Agencies

Kentucky legislators regularly work with the personnel and procedures of the various agencies of the executive branch of state government. Those persons most closely affiliated with the Governor's Office and the leadership of the various state agencies become advocates for executive branch positions on the various matters confronting the General Assembly. The governor has a staff of assistants whose principal role during a session is to maintain close liaison with the General Assembly and to follow measures in which the executive branch is interested.

Normally, the departments and agencies of state government are cooperative in serving legislators by providing information or supplying any reasonable assistance within their jurisdiction. Some agencies prefer that the legislator contact the department head directly, so that the department head may meet with the legislator and refer him or her to the proper person for assistance. The Director of the Legislative Research Commission can be of assistance in arranging such contacts.

As part of their official responsibilities, legislators are frequently called on to present constituent concerns to state agencies. In doing so, the Code of Legislative Ethics provides that legislators may not use or attempt to use any means to influence a state agency "in direct contravention of the public interest at large." Statutory language added in 1994 provides that, "Absent an express or implied threat of legislative reprisal, nothing in this subsection shall prevent a legislator from contacting a state agency on behalf of a person." The LRC Office of Constituent Services provides assistance to legislators in this area.

The Code of Legislative Ethics also includes restrictions that apply to legislators who are licensed professionals. These legislators may not, for compensation,

represent or engage in negotiations on behalf of a client before or with a state agency. Legislators are also prohibited from representing the Commonwealth or any state agency for compensation. Additionally, they are prohibited from maintaining an action for money damages against the Commonwealth if the Commonwealth is the principal defendant in the action.

Chapter 3

Sessions:

Getting Started And Getting Finished

Regular sessions of the General Assembly convene on the first Tuesday after the first Monday in January every year.

The First Day Of The Odd-Year Regular Session

In odd-numbered years, the Kentucky General Assembly convenes a regular session of not more than 30 legislative days. During the first week of this session, the members take the oath of office. The Senate and the House of Representatives each then selects leaders, adopts Rules of Procedure, appoints committees for the session, and considers legislation.

Getting Organized

The first day of the odd-year session convenes at noon. Although the exact order may vary, the usual order of business on opening day is as follows:

1. The President of the Senate and the Speaker of the House of the previous session call to order their respective chambers.
2. A member of the clergy opens the session with prayer. Following the prayer, members recite the Pledge of Allegiance.
3. The Chief Clerks of the preceding session serve as Acting Clerks in opening the session. They read communications from the secretary of state certifying the duly elected Senators and Representatives.
4. The Acting Clerks call the roll of Senators and Representatives.
5. Newly elected Senators and all Representatives produce their certificates of election and take the oath of office prescribed by the constitution.
6. Nominations are made from the floor of each chamber for election to the office of President of the Senate or Speaker of the House. The President and Speaker are elected, and the Acting Clerk of the respective chamber appoints a committee to escort the presiding officer to the chair. Appreciation is expressed, and a justice of the Supreme Court administers the oath of office. The Senate then elects a President Pro Tempore and the House elects a Speaker Pro Tempore.
7. Nominations are made for election to the office of Chief Clerk, Assistant Clerk, Enrolling Clerk, Sergeant-at-Arms, Doorkeeper, Janitor, Cloakroom Keeper, and Pages of each house. These officers are elected and administered the oath of office.
8. The Majority and Minority Floor Leaders, Caucus Chairs, and Whips, previously elected in party caucus, are announced.
9. Each house adopts resolutions dealing with internal organization. These resolutions include such subjects as inviting pastors of Frankfort churches to open the daily sessions with prayer and adopting Rules of Procedure for the session.
10. Each house proceeds with the regular order of business.

Any suits to contest elections of General Assembly members are decided at this session. The house to which the member belongs must, within 3 legislative days after its organization, select a board of from five to nine members to hear the contest. The board reports back to the Senate or House, which is the final judge of the qualifications and election of its members. The member in whose favor the contest is decided is then seated.

Orientation For New Members

Preceding the odd-year regular session, the Legislative Research Commission conducts, pursuant to KRS 7.100, an orientation session for new members of the General Assembly. This orientation is designed to acquaint new members with legislative and parliamentary procedures; the experiences of veteran legislators; relationships with members of the media, lobbyists, and the executive branch of state government; the Legislative Ethics Commission; and services offered by LRC staff and by the Clerks' offices.

Interim Committee Activity

As part of the business of organizing the odd-year session, current committee chairs report on the issues that have been discussed and other committee activities that have been undertaken since the last regular session.

The First Day Of The Even-Year Regular Session

The opening of a regular session in an even-numbered year is less ceremonial than is the beginning of the odd-year session. Since officers and leadership have been selected at the previous session, the presiding officers need simply to call the respective chambers to order and proceed through the regular order of business.

Certain organizational first-day resolutions are necessary, however, in order to adopt rules, to invite Frankfort pastors to offer invocation, and to appoint a committee to wait upon the governor.

The Governor's Message

The governor likely will plan to address a joint session of the General Assembly early in the regular session. The procedure for that occasion is described as follows:

1. A member of the committee appointed to wait upon the governor reports that the governor is ready to address the General Assembly.
2. The Senate then proceeds to the House of Representatives chambers, and the two houses are convened in joint session, with the President of the Senate presiding. The session is opened with prayer. The roll of the joint session is usually not called.
3. The joint committee previously appointed to wait upon the governor appears with the governor on the floor of the House.
4. The governor delivers an address to the General Assembly, which is broadcast by radio and television and printed in the *Journal* of each house.
5. The joint session is then dissolved.

Concluding The Regular Session

The constitution limits a regular session in an even-numbered year to 60 legislative days and in an odd-numbered year to 30 legislative days. Such days are defined as calendar days, exclusive of Sundays, legal holidays, and any days on which neither house meets. A regular session may not extend beyond April 15 in an even-numbered year, or March 30 in an odd-numbered year.

Because days on which neither house meets are not counted as legislative days, the General Assembly may recess with 2 or 3 legislative days remaining in the session and return some days later to consider bills that have been vetoed by the governor.

In addition, the 2 legislative days immediately prior to the veto recess are usually reserved for concurrence in amendments proposed by the opposite house and final passage by the house of origin.

***Sine Die* Adjournment**

Certain procedures are followed to conclude the regular session. Adjournment *sine die* (without a day) terminates the session. Adjournment is accomplished by adopting a motion to adjourn or moving to adjourn pursuant to a concurrent resolution. During the course of a session, neither house may adjourn for more than 3 days without the concurrence of the other house.

When all legislative activity has been completed for the session, the House and Senate approve their respective *Journal*, then, on motion, adjourn *sine die*.

Chapter 4

The Regular Order Of Business

The legislative day is organized by House and Senate Rules. On the first day of session, each chamber establishes a regular order of business to provide for orderly disposition of the legislative agenda.

Below is a description of each step, followed by its order in the House and Senate. The order of business may vary in each chamber, but the substance of each step essentially is the same.

Invocation - The daily session opens with a prayer by a minister or legislator. Neither chamber has a regular chaplain, but resolutions are adopted to invite Frankfort pastors to offer the invocation.

Roll Call - The Clerk calls the roll of the members to establish that the majority required by the constitution to transact business is present. When a majority has answered the roll, the presence of a quorum is established for the rest of the day, unless a member suggests the absence of a quorum and demands a roll call. Customarily, a member in the body moves that all members not present be granted leave of absence, which is usually agreed to.

Reading And Approval Of The *Journal* - The Rules permit either chamber to correct its *Journal* on the day it is presented for approval. A motion is almost always adopted that the reading of the *Journal* be dispensed with and the same be approved.

Second Reading Of Bills - Bills on the Calendar are given their second reading by title only. They are then transmitted to the Rules Committee. Within 5 legislative days, this committee must place the bill in the Orders of the Day as posted for final passage or recommit it to a standing committee.

Report Of Committees And First Reading of Bills - Committee reports are delivered to the Clerk who reads the bill's title and the report. The report of the Rules Committee is included in these reports, indicating which bills under consideration are to be placed in the Orders of the Day and which have been recommitted. Favorable committee reports constitute the first readings of bills. The *Journal* records that bills are read at length at this time, as required by the constitution, but, in practice this is seldom done. After first reading, bills are placed in the Calendar for the following day.

Orders Of The Day - The Majority Floor Leader, acting on the report of the Rules Committee, calls bills from the Orders of the Day for amendment, debate, recommitment, passage, or rejection. At this stage, debate and voting on bills take place. Each measure must be posted in the Orders of the Day by the Rules Committee, unless otherwise ordered posted for the next succeeding legislative day by a majority of members voting. The Rules Committee must arrange the

Orders of the Day so that all measures appear for consideration by the full house, but no bill in a standing or special committee may be posted. Items remaining unconsidered at the completion of Orders of the Day keep their positions for the next day that Orders of the Day are considered.

Motions, Petitions, Communications, And Announcements - A member may present any matter he or she wishes considered at this stage. Any papers addressed to the chamber may be laid before it by the presiding officer or a member, who may make a brief statement about it. Motions are in order to take proper action on bills; for example, to recommit, to take from committee, to consider as a special order, etc. Members or officers make any announcements they may have.

Introduction Of Bills And Resolutions - The Clerk reads newly introduced bills and resolutions by title and sponsor.

Meetings And Report Of The Committee On Committees And The Rules Committee And Report Of Reference Of Bills To Committees - The chairs call meetings of their committees, and the Clerk announces to which committees bills have been referred by the Committee on Committees.

Floor Amendments – The Clerk reads newly filed amendments by bill and sponsor.

Adjournment - When the regular order of business is concluded, the presiding officer asks if there is any further business and, if not, the chamber adjourns. Motions to adjourn at the end of business typically are taken by voice vote.

Senate Order Of Business

1. Invocation
2. Pledge of Allegiance
3. Roll Call
4. Approval of the *Journal*
5. Second Reading of Bills
6. Report of Committees
7. First Reading of Bills
8. Introduction of Guests, Memorial Resolutions, Motions, and Citations
9. Introduction of New Bills and Resolutions
10. Orders of the Day
11. Meetings of the Committee on Committees and Rules Committee
12. Report of Committees
13. Motions, Petitions, Communications, and Announcements
14. Introduction of Floor Amendments
15. Introduction of New Bills and Resolutions
16. Adjournment

House Order Of Business

1. Invocation
2. Pledge of Allegiance
3. Roll Call
4. Reading and Approval of the *Journal*
5. Introduction of Guests
6. Second Reading of Bills
7. Report of Committees and First Reading of Bills
8. Orders of the Day
9. Motions, Petitions, Communications, and Announcements
10. Introduction of Bills and Resolutions
11. Meetings and Report of the Committee on Committees and the Rules Committee and Report of Reference of Bills to Committees
12. Floor Amendments
13. Adjournment

Variations In The Order Of Business

There are three ways of departing from the regular order of business established by the Rules:

- A member may ask unanimous consent of members present, which is usually granted;
- A majority of members elected may vote to suspend the Rules for a specific purpose, to introduce bills, or to extend the privilege of the floor to guests. This usually is done by voice vote several times each day. No measures may be considered under suspension except the measure or measures in whose favor the suspension was invoked, and only for the day;
- A measure may be made a special order of business for consideration at a stated time, regardless of the regular order.

Chapter 5

Procedure On The Floor

Parliamentary procedures—governing action on the floor of the chamber—are designed to ensure the orderly conduct of business and to protect the rights of the minority and of the individual member. These procedures are not arbitrary but have evolved throughout the history of legislative assemblies. An understanding of parliamentary practices is essential to effective work as a legislator (see Appendix B).

Authority And Appeals

Procedure is prescribed by the Rules of each chamber. Once adopted, the Rules may be altered, amended, or suspended only by a majority of members elected. In the absence of a specific rule, *Mason's Manual of Legislative Procedure*, available in the Legislative Research Commission library and made available to each member, governs procedure in both houses.

The President of the Senate and the Speaker of the House decide recognition of members desiring to speak, decide all points of order and questions of procedure, and rule on whether motions are in order or amendments are germane. Decisions of the presiding officers on points of order are recorded in the *Journals*.

Every decision made by the presiding officer is subject to appeal to the members. In the House, an appeal must be in writing and signed by at least two members. A motion appealing a decision of the chair is not debatable under a specific rule of both chambers. While an appeal is pending, the presiding officer leaves the chair: the Speaker Pro Tempore presides in the House, and the President Pro Tempore in the Senate.

Motions

All proposals for action or decision are put in the form of motions addressed to the presiding officer. Any member, except when presiding, may make a motion. The member rises and addresses the presiding officer. Proper protocol is as follows:

- **Presiding Officer** “For what purpose does the (Gentleman, Lady, or Senator) from _____ rise?”
- **Member** “To make a motion, Mr. or Madam (President or Speaker)”; (or) “To make a request, Mr. or Madam (President or Speaker)”; (or) “Mr. or Madam (President or Speaker), I rise to a point of order”; (or) “Mr. or Madam (President or Speaker), I rise to a point of personal privilege.”
- **Presiding Officer** “State the motion”; (or) “State the point”; (or) “State the question.”
- **Member** states the motion or purpose.

When a motion has been made, it is the duty of the presiding officer to state it to the chamber in the precise terms in which it is moved. If the motion is in writing,

it is read aloud by the Clerk. A motion so stated or read then becomes the property of the House or Senate and cannot be withdrawn without consent.

All motions, except nominations, must be seconded by another member saying, "I second the motion," which the member does without rising. If no second is immediately forthcoming, the presiding officer may ask, "Is the motion seconded?" If none is forthcoming, the presiding officer declares the motion lost. If the motion is in order and receives a second, the presiding officer then restates it, asks for questions or discussion, and puts the motion to a vote.

Choice Of Motions

Appendix B defines the motions used in the General Assembly. A member should be certain that he or she is proposing the proper motion to accomplish his or her purpose. Action on measures is accomplished by the following motions:

- **To Modify or Amend a Proposal** - Use a motion to amend, commit, or refer.
- **To Postpone Action Temporarily** - Move to postpone to a certain time, make a special order, lay on the Clerk's desk, or to recommit.
- **To Prevent Action** - Offer a motion to postpone indefinitely or lay on the table. Under House and Senate Rules, a motion to lay on the table is used to defeat the subject matter under consideration.
- **To Suppress Debate or Prevent Amendment** - The motion should be to limit debate or for the previous question.
- **To Reconsider Action** - Move to take from the desk, take from the table, reconsider, rescind, or repeal. An important feature of Kentucky procedure is that any action can be reconsidered and reversed as long as the measure remains in possession of the body. The Rules require that a motion to reconsider must be initiated within 2 legislative days by a member who voted on the prevailing side of the question. Reconsideration of a motion to table requires the approval of the majority of members elected.
- **To Hinder Reconsideration (the Clincher Motion)** - Use a motion to reconsider coupled with a motion to lay reconsideration on the table. Further action on a bill to which the clincher has been applied will require approval of a majority of members elected (20 Senators or 51 Representatives). Any member, regardless of his or her vote, may offer the clincher motion.

Precedence Of Motions

Some motions may be proposed and considered when a question is pending before the house. The order of precedence of those motions is set by the Rules of each house: 1) to call the house when there is no quorum present, 2) to fix the time to which the house shall adjourn, 3) to adjourn, 4) to take recess, 5) to lay on the table, 6) for the previous question, 7) to limit or extend limits of debate, 8) to postpone to a fixed time, 9) to lay on the Clerk's desk, 10) to refer or commit, 11) to amend, and 12) to postpone indefinitely. The first seven of these motions are not debatable. A motion to strike out the enacting clause has precedence over motions to amend. If such a motion is carried, it kills the bill. (The Constitution of Kentucky requires each bill to contain an enacting clause.) A second motion to

adjourn, to take a recess, to lay on the table, for the previous question, to limit or extend limits of debate, to postpone to a time certain, to lay on the Clerk's desk, to refer or commit, or to postpone indefinitely shall not be in order on the same day on the same question, unless other business intervenes, except that amendments may be made to the time to which it is proposed to postpone, adjourn, or recess. See Appendix B for more on parliamentary practice.

Questions Of Privilege

Motions relating to the rights or comfort of the chamber or its members are questions of privilege. They have priority over all business, except motions to call the house, to adjourn, or to recess, so that the member can secure immediate action. Questions of privilege concern the safety, dignity, and convenience of the house, or the reputation and conduct of an individual member.

Motions To Adjourn

Motions to fix the time to which the house shall adjourn, to adjourn, and to take a recess have precedence over all other motions, except for a call of the house in the absence of a quorum. These motions may be proposed at any time except while a member is speaking, while a vote is being taken, or while the Committee on Committees is reporting, and are not subject to debate. The House Rules require that all motions to adjourn be put to a roll call vote.

Debate

Some limits are imposed on debate to prevent a few members from monopolizing the time of the house. No member may speak more than once on the same subject until all members desiring to be heard have spoken, or more than 30 minutes in the aggregate on the same question or measure. Unless the previous question has been ordered, a motion is in order to set a time limit for debate on a question. The time limit established by such a motion is allotted by the presiding officer between the opponents and proponents of the measure, and the adoption of such a motion does not prevent the offering of additional amendments.

Previous Question

A motion for the previous question is used to end debate and prevent the offering of additional amendments. A majority of members elected may order the previous question and bring the house to an immediate vote on the pending measure and such amendments as are in order. After the previous question has been ordered, and before the vote on the main question, the opponents and proponents of the measure each have 10 minutes to conclude their arguments.

Amendments

A bill may be amended at any time before final passage. Amendments are offered by committees, and by individual members from the floor, on forms furnished by the Legislative Research Commission. Amendments must bear the name of the member proposing them, as well as the initials of the drafter and a Reviser of Statutes. Amendments to be offered from the floor must be filed with the Clerk

by the legislative day prior to such offering and copies distributed to the members. The House and Senate Rules require an original and six copies of each amendment to be filed. All amendments must be germane to the subject of the bill or the presiding officer may rule them out of order.

Only one amendment may be under consideration at a time. However, amendments may be proposed to the original amendment. These amendments to an amendment cannot be amended. An adopted amendment that is actually a substitute for the initial measure is considered as the initial measure and can be amended to the second degree. After an amendment has been adopted, the original measure still must be voted on, as amended.

A motion to amend a bill by striking out its enacting clause has precedence over all other amendments and, if adopted, has the same effect as if the bill has been regularly voted on and rejected. An adopted motion to lay an amendment on the table carries the bill with it.

Piggybacks

A piggyback is an amendment that seeks to attach the “substantial text” of another bill introduced during the session (Rule 60, House and Senate). LRC staff will identify piggyback amendments when they are prepared. Committee substitutes are not considered piggyback amendments.

The House will consider piggyback amendments if a majority of the members vote for consideration. In the Senate, an amendment that contains the substantial text of another bill that has already passed the Senate is not a piggyback. If an amendment contains substantial text that has not passed the Senate, the Senate President will rule whether the amendment is truly a piggyback and may be considered.

The Rules generally disfavor piggyback amendments because they could serve to attach bills that have not been discussed in committee meetings or in the chambers. The House and Senate Rules should be read carefully because they define and treat piggybacks in slightly different ways.

Voting

The Constitution of Kentucky and the Rules prescribe the number of votes necessary to adopt a measure or motion. The number of the members elected to one or both chambers who must approve various types of action is shown below (see also Appendix B):

- Amend or suspend the Rules Constitutional Majority
- Declare an emergency in a bill Constitutional Majority
- Final passage of any bill or resolution having the effect of law 2/5 and majority of those voting
- Final passage of any measure appropriating money, creating a debt, or having emergency clause Constitutional Majority

- In an odd-year regular session, final passage of a bill raising revenue or appropriating funds 3/5
- Override a veto Constitutional Majority
- Propose a constitutional amendment 3/5
- Propose a constitutional convention Constitutional Majority
- Ratify a proposed US constitutional amendment..... Constitutional Majority
- Read into the calendar bills reported unfavorably or without expression Constitutional Majority

A member may vote only while at his or her desk or while visibly approaching it. A member may not vote on any measure in which he or she has personal or private interest, or the member may be expelled. A member who is going to be absent may arrange to pair his or her vote with a member who is on the other side of the question. All pairs are recorded in the *Journal*.

Types Of Voting

There are various ways of voting, or deciding, the question in the General Assembly.

The simplest method is by unanimous consent of the members, which is often used for routine procedural matters. The presiding officer states a proposal and declares that if there is no objection, the question will be approved, or “without objection, it is so ordered.”

A voice vote (*viva voce*) is used for minor procedural decisions. All those in favor of the proposition say “aye”; those opposed, “no.” The presiding officer determines by the sound which side prevails. If the presiding officer is not certain of the result, he or she may call for another vote.

A division may be called for on a question, in which case those voting in the affirmative stand and are counted, then those voting in the negative do the same. The Speaker may appoint tellers to aid in counting. The total vote on each side is announced, but individual votes are not recorded.

A roll call is the only method of recording each member’s vote and is mandatory on the final passage of bills. The names of Senate members are called alphabetically on a roll call, and Senators may be recorded as “passing” as alternative to voting “aye” or “nay.” The House uses an electrical voting system that produces a printed roll call. A legislator may take 2 minutes to explain his or her vote and may change his or her vote before the result of the roll call is announced. Any member, with a second, may demand a roll call on any matter pending before the house.

Chapter 6

Types Of Legislation

Proposals for legislation are in the form of bills or resolutions. Hundreds of measures are introduced each session, relating to many subjects. A bill may propose to create new law, amend or repeal existing law, or propose to amend the Constitution of Kentucky. A legislative glossary can be found in Appendix C.

Bills

The constitution places many restrictions on the substance of legislation. For example, no bill may relate to more than one subject, which shall be expressed in the title. No local or special law may be enacted on certain enumerated subjects or in any case where a general law may be made applicable. All bills raising revenue must originate in the House of Representatives. Other restrictions are found throughout the constitution.

Resolutions

Resolutions deal with subordinate objects of legislation and are of three kinds. Simple resolutions concern the affairs of one chamber only and require action only by that chamber. They are used to regulate procedure and to express requests or sentiments. Concurrent resolutions must be approved by both chambers. Concurrent resolutions deal with legislative organization and are used to transmit messages to other branches of government or express opinions of the General Assembly. Any proposal for a research study to be undertaken by the Legislative Research Commission is generally in the form of a concurrent resolution. Joint resolutions have the effect of law and are treated as bills. They are used to ratify US constitutional amendments and for matters of temporary legislation not to be included as part of the Kentucky Revised Statutes. Selection of the proper type of resolution is important.

Citations

Citations are used to extend the commendations, condolences, or congratulations of the General Assembly to a person, or to recognize a particular event or occasion (House Rule 66 or Senate Rule 65).

Form Of Bills

The form of bills is regulated by the constitution and by general considerations of custom and convenience. The form and style of bills and resolutions are discussed in detail, with examples, in the Legislative Research Commission's *Bill Drafting Manual*.

Every bill shall have a title, which sets forth the subject of the bill in broad and general terms, and must have an enacting clause. The enacting clause is the same for all bills: "Be it enacted by the General Assembly of the Commonwealth of Kentucky:." The body of the bill, which follows the title and enacting clause, may contain any or all of the following sections, preferably in the order listed here:

1. Definitions of Special or Technical Words
2. Basic Provisions:
 - Main Provisions
 - Subordinate Provisions
 - Procedural Provisions
 - Details of Administration
3. Penalties or Sanctions
4. Repeal of Conflicting Statutes
5. Appropriations
6. Temporary or Transitional Provisions
7. A Short Title for Popular Reference
8. Emergency or Effective Date Clause

Origin Of Bills

All bills and resolutions are introduced by legislators, but the idea behind the measure may actually originate in a variety of places. A member interested in a proposed measure may request the Deputy Director for Committee and Staff Coordination of the Legislative Research Commission to have a bill drafted. Interest groups, professional organizations, or constituents back home may ask a legislator to introduce a bill for them. Many important measures originate in the executive branch of state government. These are known as executive bills and may be written in the Governor's Office or by a state agency. Some bills result from studies undertaken by the Legislative Research Commission at the direction of the General Assembly or from action and recommendation by the Commission's interim joint committees. Some would enact laws drafted by the National Conference of Commissioners on Uniform State Laws. All bills, however, must be signed by a Senator or Representative, who takes responsibility for them. All bills, whether executive or otherwise, are prepared in final form by the appropriate LRC staff drafter and entered into the LRC computer system prior to introduction.

Appropriations

The governor, chief justice, and the Legislative Research Commission recommend biennial budgets for agencies of their respective branches to the General Assembly. These budget plans are accompanied by appropriations bills that authorize expenditures for services and operations of state government.

Appropriations bills are referred to the Appropriations and Revenue Committee in each chamber and follow the course of any other bill. Extensive hearings are held. The bills may be amended or rewritten entirely as they proceed through the legislative process.

Proposed Constitutional Amendments

The General Assembly may propose amendments to the Constitution of Kentucky, but no more than four such proposals may be placed on the ballot at one time. Proposed amendments are enacted as bills, but do not go to the governor

for approval. The question of amending the constitution is then submitted to the voters at the next election at which members of the House of Representatives are chosen.

Chapter 7

Enacting A Law

The steps by which a bill becomes a law are prescribed by the Constitution of Kentucky, the Rules, and by custom. The lawmaking process may seem lengthy and complicated, but it is carefully designed to prevent hasty or unwise legislation. The constitution specifies the following concerning enactment of legislation:

No bill shall be considered for final passage unless the same has been reported by a committee and printed for the use of the members. Every bill shall be read at length on three different days in each House, but the second and third readings may be dispensed with by a majority of all the members elected to the House in which the bill is pending... No bill shall become a law unless, on its final passage, it receives the votes of at least two-fifths of the members elected to each House, and a majority of the members voting, the vote to be taken by yeas and nays and entered in the Journal...(Section 46).

Introduction Of Bills And Resolutions

Bills and resolutions are introduced by filing signed copies with the Clerk of the house of introduction. Five signed copies of Senate bills and four signed copies of House bills must be filed (the original and three copies). Senators and Representatives may introduce an unlimited number of bills and resolutions at any extraordinary or regular session. However, during a regular session in an even-numbered year, under the Rules of each chamber, they may not offer measures for introduction during the last 20 legislative days in the Senate or the last 22 legislative days in the House. In a regular session in an odd-numbered year, no bill or resolution having the force of law may be introduced after the 13th legislative day in the Senate or the 14th legislative day in the House. No bill or resolution is acceptable for introduction if it does not bear the appropriate bill drafting code number of the Legislative Research Commission, which it receives when processed through the Commission's data processing system.

Of the signed copies presented to the Clerk, one copy is retained as the official copy of the measure on its journey through the legislative process, one copy is for the use of legislative committees, and one copy is returned to the Legislative Research Commission. The introduced bill is posted to the web for public viewing.

The Clerk numbers bills and resolutions in the order received, and each is identified by this assigned number throughout its history. When the order of business "Introduction of New Bills and Resolutions" is reached, each measure so presented is read by its title and sponsor. This reading before the full house constitutes official introduction. The Legislative Research Commission prints each introduced bill and resolution, and these printed copies are placed in binders in the legislative office areas. In addition, the bills and pending amendments

scheduled for consideration in the Orders of the Day each day can be accessed on the computers on the members' desks in each chamber. Additional copies of printed bills are available to the members in the Senate and House bill rooms. The Senate bill room is located off the Senate floor, and the House bill room is off the House balcony.

Simple and concurrent resolutions are typically referred to a committee for consideration. Upon favorable committee report, they may be adopted without readings. The House may adopt simple or concurrent resolutions upon introduction under a suspension of the Rules. Concurrent resolutions must receive the approval of both chambers in order to be successful. Joint resolutions must take the same course as a bill.

Reference To Committee

Immediately upon introduction, bills and resolutions are referred to the Committee on Committees for reference to the proper standing committee. All bills and resolutions having the force of law must be referred to a committee not later than 5 legislative days after introduction in the House or Senate (Rule 54, House and Senate).

The Rules specify the jurisdiction of each of the standing committees in each house.

Reports Of Committees

Committee work is described in the next chapter. After a committee considers a bill, it may report it back to the house or decide it does not merit further consideration. A committee may report a bill favorably, favorably with amendments, favorably by way of committee substitute, unfavorably in the House, or, in the Senate, without expression of opinion.

If the committee fails to report a bill within a reasonable time, the bill may be called up by any member with the concurrence of a majority of members elected. In calling up any such bill, a Representative must have the signed concurrence of 25 colleagues on a discharge petition, filed at least 24 hours in advance of the effort. Senators filing these petitions are not required to obtain cosigners.

First And Second Readings

If the bill is reported favorably, it is given its first reading by the Clerk and placed on the Calendar for the next succeeding legislative day. The Calendar is a list of bills entitled to a second reading, and bills are placed on it in the order in which they are reported from committee. If a bill is reported unfavorably or without expression, or is simply held in committee, a majority of the members elected may vote to read it into the Calendar or vote to take it from the committee and so read it as if it had been reported favorably. Taking a bill from committee or overriding an unfavorable report seldom occurs.

A bill usually receives its second reading, by title only, the day after first reading. It then goes to the Rules Committee for the purpose of posting it on the Orders of the Day for final passage. Bills on the Orders of the Day are ready for a third reading, then debate, amendment, recommitment, approval, or defeat. A bill may be recommitted or amended at any time before its passage and may be recommitted by the Rules Committee on one occasion. Bills retain their readings, even if recommitted.

Consent Calendar

The Rules of the Senate authorize the use of a Consent Calendar and a Consent Orders of the Day. If the consent procedure outlined in the Rules is fully used, then standing committees may, when reporting bills favorably without a dissenting vote, recommend their placement in the Consent Calendar. The Rules Committee then may post bills from the Consent Calendar to the Consent Orders of the Day. When the Consent Orders of the Day are called, all members present are presumed to vote “aye.” Members may record their “nay” or “pass” votes on any consent measure prior to call of the Consent Orders of the Day.

Third Reading And Passage

Bills are called from the Orders of the Day in the order in which they are posted by the Rules Committee. A bill may be called out of order by unanimous consent, on motion approved by a majority voting to post the bill the next day, or by making it a special order for a stated time.

The Majority Floor Leader makes any motion to take a bill from the Orders of the Day, read it for the third time by title only, and place the bill upon its passage. The Majority Floor Leader may relinquish the floor for this purpose to the sponsor or committee chair. The Clerk reads the bill by title and it is ready for debate, amendment, and vote.

The sponsor of the bill usually takes the floor to explain the measure. Opponents and proponents then debate the bill. The majority of measures are noncontroversial and are not debated at length on the floor. Debate on occasion may be terminated by moving the previous question, after which the proponents and opponents have 10 minutes to complete their arguments. The roll is then called on final passage of the bill. If the title of a bill needs perfecting, it is by title amendment after the bill is passed.

Clincher Motion

Final action on passage in the House is in the form of a clincher motion. A member from the prevailing side moves that the vote by which the bill was passed (or defeated) be reconsidered and that the motion to reconsider be laid on the table. Adoption of this motion prevents reconsideration of the vote on final passage unless ordered by a majority of members elected.

Engrossment

Every bill and joint resolution that passes its house of origin is engrossed by the Clerk. Engrossment means reprinting the bill with any amendments included and endorsing the date of passage on the bill. The Clerk then delivers the bill to the other house, in open session, announces that it has passed the first house, and requests concurrence in the measure.

Second Chamber

The bill then follows an identical course of action in the second house. It is reprinted as a General Assembly Bill but keeps its original number. The first reading in the second house may occur on the same day as passage in the first house.

The second chamber may reject a bill or may pass it with or without amendments. If the bill is amended, it is returned to the first house for concurrence. If the first house refuses to concur in the amendment, the bill goes back to the second house with the request that it recede from its position. If a deadlock results, a Conference Committee, composed of members of both houses, may be appointed to reconcile the differences. The Conference Committee reports back to both houses, which may vote to accept or reject, but not amend, its report. A Conference Committee may consider only those amendments at issue. If the Conference Committee fails to reach an agreement, a Free Conference Committee may be appointed that may make broad changes to the bill in question and file its report in both chambers for acceptance or rejection.

Enrollment

After a bill has passed both houses, it is returned to the house in which it was introduced and given to the Enrolling Clerk to be enrolled. This process consists of comparing the engrossed bill with the exact form of the original as passed. A bill amended in the second chamber is engrossed by the Chief Clerk of the house of origin. Before delivery to the Enrolling Clerk, the bill is transmitted to the Legislative Research Commission for preparation of the final, engrossed copy. The Enrolling Clerk then checks the original bill, as attested by the Chief Clerk, against the engrossed copy delivered from the Legislative Research Commission.

The Committee on Enrollment and the Enrolling Clerk compare the engrossed copy of the bill with the original copy, together with any amendments, and certify that the bill is in the exact form as passed. The Committee on Enrollment reports to the house that the bill is correctly engrossed and ready for the presiding officer's signature. The committee may report at any time, except during a roll call. Upon report of the Committee on Enrollment, the presiding officer announces to the body the intention to sign the bill and proceeds to sign it in open session.

The Clerk of the house in which the bill originated next transmits the original and engrossed copies of the bill to the Chief Clerk of the other chamber. The bill is

there enrolled, signed, and returned to the house of origin. The Chief Clerk of the first house delivers the bill to the governor, taking a receipt for delivery.

Action By The Governor

The governor may sign a bill or take no action. If the governor takes no action on a measure within 10 days (excluding Sundays) after receiving it, the bill becomes a law without signature. In addition, the governor may veto a bill (or any line item in an appropriation bill). A bill vetoed by the governor is returned to the chamber of origin with a statement of the grounds for the veto. It may be passed despite the veto by a majority of members elected to each chamber.

Chapter 8

The Committee System

The General Assembly is too large and its time is too limited for every member to study each bill in detail. The committee system, required by the constitution, has been developed to screen legislative proposals and decide which deserve consideration by the whole house. There are several types of committees, each filling a different function.

Standing Committees

During each session, committees established by rule to handle legislation on a particular subject are known as standing committees. All bills and resolutions having the effect of law must be referred to a standing committee for study. During the interim, standing committees of the Senate join with standing committees of the House to form interim joint committees. Each interim joint committee is considered to be a subcommittee of the Legislative Research Commission. They meet to conduct appropriate business, including preparation of legislation to be introduced at the next regular session.

The General Assembly uses the following standing committees in the Senate and House of Representatives, with proportional partisan representation, as provided by the Rules of each house:

Senate

- Agriculture
- Appropriations and Revenue
- Banking and Insurance
- Economic Development, Tourism, and Labor
- Education
- Health and Welfare
- Judiciary
- Licensing and Occupations
- Natural Resources and Energy
- State and Local Government
- Transportation
- Veterans, Military Affairs, and Public Protection

House

- Agriculture
- Appropriations and Revenue
- Banking and Insurance
- Economic Development and Workforce Investment
- Education
- Elections, Constitutional Amendments, and Intergovernmental Affairs
- Health and Family Services

- Judiciary
- Licensing, Occupations, and Administrative Regulations
- Local Government
- Natural Resources and Energy
- Small Business and Information Technology
- State Government
- Tourism and Outdoor Recreation
- Transportation
- Veterans, Military Affairs, and Public Protection

In the Senate, the size of committees is limited to 12 members, except for Appropriations and Revenue; Education; Transportation; and Veterans, Military Affairs, and Public Protection. There is no limit on the number of committee members in the House.

Meetings And Hearings

The chair of a committee supervises its work. Under the Rules, the Committee on Committees, in conference with committee chairs, is required to schedule a definite time and place for regular weekly meetings. This schedule is posted, and published in the *Legislative Record* and the weekly Calendar. The committee may call special meetings in addition to the regularly scheduled meetings.

LRC staff keeps a record of the attendance of the members at meetings. Rules of the House or Senate must be observed in committee as far as they are applicable.

In the House of Representatives, committee chairs are required to announce at least 3 days in advance which bills may be considered at the next meeting of the committee. This is known as posting of bills. The posting requirement may be waived under a suspension of Rules. The Senate has no posting requirement.

Public hearings may be held on bills when the committee deems that advisable or at the request of interested citizens. The Director of the Legislative Research Commission is required to assign secretarial and professional staff to each committee.

Reports

Standing committees report when called in the regular order of business. The Clerk reads reports of standing committees according to the regular order of business. A bill is reported in one of the following ways:

- “With the expression of opinion that the same should pass”; “...should pass, with the committee amendment attached thereto”; or “...should pass, with the committee substitute attached thereto.”
- or (in the House only) “With the expression of opinion that the same should not pass.”
- or (in the Senate only) “Without expression of opinion.”

A bill reported favorably is given its first reading. An unfavorable or expressing no opinion report stops further action on the bill, unless a constitutional majority sustains a motion to advance it to the first reading.

Minority reports signed by dissenting committee members may also be submitted when measures are reported out of committee. The vote of a majority of members elected is required to substitute the minority report for the committee report. The committee's report is always read before the minority report is read.

Committee reports usually determine a bill's chances of passage. Nearly half of all bills introduced each session die in committee. The General Assembly seldom overrides the decisions of its committees and seldom votes to call a bill from committee.

Rules Committee

The Rules Committee acts throughout the session as a traffic control committee by posting to the Orders of the Day for third reading and consideration by the chamber bills having received two readings. In maintaining an orderly flow of legislation, the Rules Committee must, within 5 legislative days of receiving any bill or resolution, either post it to Orders of the Day or refer it back to a standing committee.

The Majority Floor Leader acts for the Rules Committee in calling up bills and resolutions and is recognized by the presiding officer for that purpose. The Speaker of the House is Chair of the House Rules Committee, and the Speaker Pro Tempore serves in the absence of the Speaker. The Senate President is Chair of the Senate Rules Committee, and the President Pro Tempore serves in the absence of the President. Members of the respective Rules Committees are below.

Senate

President (Chair)
President Pro Tempore
Majority Floor Leader
Majority Caucus Chair
Majority Whip
Minority Floor Leader
Minority Caucus Chair
Minority Whip

House

Speaker (Chair)
Speaker Pro Tempore
Majority Floor Leader
Majority Caucus Chair
Majority Whip
Minority Floor Leader
Minority Caucus Chair
Minority Whip

Committee On Committees

The Committee on Committees of each house appoints all standing and procedural committees and fills vacancies thereon. The committee's discretion on appointments is limited by the requirement of proportionate party representation, the limitation on a committee's size, and the strict requirements on numbers of members' assignments (Rule 39, House and Senate). Membership of the Committee on Committees consists of the following:

Senate

President (Chair)
President Pro Tempore
Majority Floor Leader
Majority Caucus Chair
Majority Whip
Minority Floor Leader
Minority Caucus Chair
Minority Whip

House

Speaker (Chair)
Speaker Pro Tempore
Majority Floor Leader
Majority Caucus Chair
Majority Whip
Minority Floor Leader
Minority Caucus Chair
Minority Whip

The Committee on Committees appoints all standing and special committees, refers all bills and joint and concurrent resolutions to the proper standing committee, and supervises the employment and performance of all employees for the particular chamber.

Enrollment Committee

In each chamber, the Enrollment Committee is responsible for determining the correctness of legislation that has passed both chambers and is ready for signature by the presiding officer.

Conference Committees

On occasion, different versions of the same basic piece of legislation are passed by each chamber of the General Assembly. In this case, a Conference Committee may be appointed to reconcile the differences when each house refuses to modify its position. This committee contains members from both houses, appointed by the Committee on Committees in each chamber. Members are usually chosen from those most interested in the measure.

If the Conference Committee reaches an agreement, a conference report is prepared and voted on in each house. This report may be accepted or rejected, but it cannot be amended from the floor. If the report is rejected, the chamber may give special instructions or another Conference Committee may be appointed to attempt to break the deadlock.

If a Conference Committee becomes deadlocked, it may be supplanted by a Committee on Free Conference, which is not limited to the issue in controversy, and may offer additional amendments to the bill as portions of its report, consistent with the Rules of each chamber (Rule 44, House and Senate).

Committee Of The Whole

A chamber may resolve itself into a committee of the whole to debate freely a measure or to consider amendments to a measure. The committee of the whole takes no final action but makes recommendations back to the full chamber.

Special Committees

During the course of a session, each chamber may appoint various special committees charged with gathering information on a particular matter and presenting a report. Special committees usually go out of existence after presentation of their reports. These committees may be created by resolution or motion, which describes the purpose and selection process. Each house may prescribe rules for the committee.

Chapter 9

Officers And Employees

Leadership is an important factor in the orderly operation of a legislative assembly. Each house elects officers to preside over its sessions, as required by the constitution.

Leadership

Presiding Officers

Presiding officers call the House or Senate to order and preside over each day's session. They preserve order and decorum in the chamber and may order the floor cleared at any time. They recognize members to speak and may speak to points of order in preference to members. Presiding officers decide all points of order and matters of procedure, subject to appeal to the membership. They sign all writs or other processes and sign all measures passed by the General Assembly.

President Of The Senate And Speaker Of The House

The Senate elects one of its members as President, and the House elects one of its members as Speaker. The President of the Senate and Speaker of the House are the presiding officers of their respective chambers. Both have the right to vote and may leave the chair to participate in debate. The Speaker is chair of the House Committee on Committees and the House Rules Committee. The President is chair of the Senate Committee on Committees and the Senate Rules Committee. The President may designate any Senator to preside in the absence of both the President and the President Pro Tem. The President and Speaker are customarily chosen from the majority party of their respective chambers. Both serve as Co-Chairs of the Legislative Research Commission.

President Pro Tempore And Speaker Pro Tempore

The Senate elects one of its members as President Pro Tem, and the House elects one of its members as Speaker Pro Tem. These officers preside in their respective chambers in the absence of the President or Speaker or when authorized by the President or Speaker to perform the duties of the Chair. The President Pro Tem and Speaker Pro Tem serve as members of the Legislative Research Commission.

Majority And Minority Floor Leaders

Each political party chooses its floor leader for each house. The job of the floor leader is to expedite business by giving priority to measures deemed important or significant by the party. The Majority Floor Leader calls bills from Orders of the Day and holds the floor much of the time bills are under consideration. Floor leaders of both parties in both houses are members of the Legislative Research Commission.

Majority And Minority Caucus Chairs

Each party also selects a Caucus Chair for each house. The Caucus Chair presides over the caucus and sees that members of the party are on the floor when an important bill is under consideration or when an important vote is probable. Caucus Chairs of both parties in both houses are members of the Legislative Research Commission.

Majority And Minority Whip

In both houses, each party selects a member to serve as Whip, whose duties are to assist the floor leaders and Caucus Chairs in getting members on the floor for key votes. Whips of both parties in both houses are members of the Legislative Research Commission.

Leadership Offices And Staff

Both chambers have made offices with staff assistance available to the leadership of each party. For matters of partisan consideration, these offices often can be of assistance to the members, subject to the guidelines of the ethics law. Their services are available during both the interim and the session.

Employees

Constitutional Employees

The constitution authorizes each house to elect certain employees whose duties and compensation are set by statute and rule.

The smooth functioning of the General Assembly depends largely on the efficient operation of the office of the Chief Clerk. In the Senate, this officer records and files the daily *Journal*, directs the engrossing of bills, reads and compares enrolled bills, calls the roll, and records the voting. The Chief Clerk endorses on each bill and resolution a brief note of action taken, and keeps a register showing the status of each measure. The Chief Clerk is aided by an Assistant Clerk and an Enrolling Clerk.

Many of the functions and duties of the House Clerk have been transferred by Rule to the staff of the Legislative Research Commission, which now performs various duties relating to the flow of legislation.

Each house has a Sergeant-at-Arms, who clears the floor of persons not authorized to be present, compels the attendance of members sent for by the house, directs the delivery of mail, and directs the Pages who deliver messages, run errands for members, and carry bills to the Clerk's desk.

The Doorkeeper of each house excludes all persons not entitled to the privilege of the floor. The House has two Cloakroom Keepers, and the Senate has one, who care for articles left with them by members. Each house also employs a Janitor.

Other Employees

Other employees are necessary to the General Assembly's work. A Payroll Clerk, attached to the Legislative Research Commission staff, keeps the financial accounts of the General Assembly, certifies the compensation of members and employees, and pays for supplies and other expenses.

Constitutional and other legislative employees are under the jurisdiction of either the Commission, or the Chief Clerk who reports to the Committee on Committees.

Most legislative employees have served several sessions. They know a great deal about procedure and precedent and can be of great help to members, especially first-term legislators.

Legislative Interns

During each regular session in an even-numbered year, approximately 20 college undergraduate students are selected to participate in the legislative intern program. Interviews and final selection occur in the spring of odd-numbered years. These students receive a full semester of credit toward their degrees by virtue of such participation, and at the end of the session, may be assigned research projects to complete their semester of work. They receive a stipend and live in or commute to Frankfort during the entire semester. Legislative interns are assigned to serve the standing committees, under the direct supervision of the appropriate staff members of the Legislative Research Commission.

Chapter 10

Documents And Forms

Documents

Certain documents are involved in the Kentucky legislative process and assist the General Assembly in its work. These provide a public record of legislative action at all stages.

Bills And Resolutions

Bills and resolutions are printed after introduction and are available on the legislative computer system. Those bills, resolutions, and amendments scheduled for consideration during the Orders of the Day are placed in binders in the chambers and are updated daily. Copies of bills may be obtained from the chamber bill rooms so long as the supply lasts. The Senate bill room is located within the chamber, to the left when facing the rostrum. The House bill room is located on the fourth floor of the Capitol. Bills that have been passed by the house of origin are reprinted with amendments, if any, as General Assembly Bills. This version of the printed bill is delivered to the receiving chamber. Therefore, General Assembly House bills are forwarded to the Senate, and General Assembly Senate bills are delivered to the House.

For the convenience of the public, a public bill room is located in Room 85 in the Capitol basement. There is a minimal charge for copies of bills requested by the public.

A final, enrolled copy of the bill is prepared for delivery to the governor, as enacted.

Senate Journal And House Journal

Each Senator and Representative may request a set of the *Journals* of the session either in bound volumes or on a USB flash drive. These are compiled by the Legislative Research Commission and are mailed to legislators as soon as they are available. They are the only official record of roll calls and action on motions.

Senate Rules And House Rules

The *Rules* of each house are printed and distributed to members early in the session, soon after their adoption.

Kentucky Acts

The acts of each session are compiled by the Legislative Research Commission. They are mailed to legislators upon request a few months after adjournment and are available on a USB flash drive.

General Assembly Action

Shortly after *sine die* adjournment, the Commission publishes as an informational bulletin, its *General Assembly Action* summary document. This publication contains a summary of each measure sent to the governor and the secretary of state and an index.

Bill Drafting Manual

The Legislative Research Commission publishes a manual of instructions on the form and style of bills and resolutions.

Kentucky Revised Statutes

This compilation contains all permanent Kentucky laws of a general nature that are currently in force. The Legislative Research Commission maintains the official version of this material in an electronic database that is used for bill drafting. Two commercial publishers—Lexis Law Publishing and the West Group—produce print and USB flash drive versions of the KRS, which they sell to the public. Both publishers’ print editions are designated by the Commission as official editions of the KRS. The Commission loans sets of the print editions to members of the General Assembly not otherwise having access to them. The statutes are supplemented after each session to keep them up to date.

Members with computers may access and search the Kentucky Revised Statutes on the Commission’s local area network. The KRS has also been posted on the internet at legislature.ky.gov with search capability.

Legislative Record

This digest of bills and summary of legislative action is distributed to legislators before each day’s session. It is prepared by the Legislative Research Commission and printed under its supervision. It provides an accurate and current record of the status of each bill and resolution. Additional copies are available on a subscription or individual basis from the public bill room. The *Legislative Record* is available online through the legislature’s website at legislature.ky.gov.

Fiscal Statements

Pursuant to statutory requirements and House and Senate Rules, fiscal statements are prepared that describe the financial implications of particular bills if such legislation were enacted. Fiscal statements consist of certain components that are prepared as necessary depending upon the subject matter and scope of the legislation. The components of fiscal statements are below.

- **Fiscal Notes** describe how legislation affects the revenues or expenditures of state government generally. Fiscal notes are prepared by nonpartisan staff at the request of the sponsor of a bill, the request of the chair of the standing committee to which the bill is referred, or the request of that committee by vote.
- **Local Mandate Statements** describe how legislation fiscally affects local governments through imposition of a local mandate. LRC nonpartisan staff

automatically identify the need for local mandate statements when drafting bills containing such mandates. Nonpartisan staff are then given the assignment to prepare the statements.

- **Actuarial Analysis Statements** describe how legislation changes the financial liability of any public retirement system administered by an agency of state government. LRC staff automatically cause actuarial analysis statements to be prepared by the public retirement systems when drafting bills pertaining to this subject matter.
- **Corrections Impact Statements** describe how legislation fiscally affects state or local corrections services in a significant manner. LRC staff automatically cause corrections impact statements to be prepared by the Justice Cabinet when drafting bills pertaining to this subject matter.
- **Health Benefit Analyses** describe whether legislation contains a mandated health benefit for purposes of health insurance coverage and the estimated financial effect of the addition of the benefit within health insurance coverage. LRC staff identify legislation for potential health benefit analysis by the Department of Insurance. Analysis is undertaken only with permission of the sponsor of the legislation.

Senate Rule 52 provides that no measure for which a fiscal statement has been requested or prepared shall be placed on the Orders of the Day for final consideration on the Senate floor until the fiscal statement has been attached, unless the requirement for the statement is waived by a majority of all members elected to the Senate. House Rule 52 provides that the chamber may require, by majority vote, that a fiscal statement be attached to any bill or amendment in the Orders of the Day. Senate and House Rules also provide for fiscal statements to be prepared for amendments relating to the fiscal matters described above.

Other Documents

Prior to the session, a *General Assembly Directory* containing biographical information on and a photograph of each member is published and distributed. The Legislative Research Commission also distributes charts indicating House and Senate seating arrangements.

Forms

Working forms play a vital role in the orderly conduct of General Assembly business. Those forms of interest to legislators are described below.

Amendment Form

Amendments to bills are submitted on the appropriate House and Senate forms. Each amendment to a bill and each page of a multipage amendment is placed on a separate form. All amendments must be signed by the sponsoring legislator, contain the name of the staff person preparing the amendment, and be initialed by the Statute Reviser who approved the amendment. These forms are computer generated in the offices of the Legislative Research Commission.

Gallery Pass

Legislators desiring to admit family or friends to the appropriate gallery sections should obtain passes from the respective Clerk's office.

Honorary Page Certificate

Frequently, legislators make the gesture of designating children of friends or constituents as Honorary Pages of the General Assembly. These certificates are prepared by the Clerk's office of each house, and requests should be presented there.

Committee Report

The committee report form is used by the standing committees of the General Assembly when reporting a bill to the full house with indication of opinion as to its acceptability for passage. Committee Chairs are concerned with the use of this form and must sign the reports.

Bill Correction Form

This form, known also as a pink slip, is used to correct technical or typographical errors in printed bills without the necessity of formal amendment. Signature by the appropriate sponsor permits the correction indicated on the form. These forms may be obtained from the Legislative Research Commission.

Legislative Citation

For extending the commendations, congratulations, or condolences of the General Assembly to a particular person or group, or to recognize a significant event or occasion, members of the General Assembly may offer and present a Legislative Citation. These are prepared in single copies and are cited in the *Journal* of the house in which offered after formal adoption during floor proceedings. Citations may not be used for procedural matters or matters of a controversial or partisan political nature, and they may not be offered in place of resolutions petitioning the Congress.

Vote Change

A member who elects to modify a previous voting position should file with the Clerk, when making a formal request from the floor, a Vote Change form indicating the number of the measure and the voting change. This form assures a written record of voting modification by members.

Co-Sponsor/Withdraw As Co-Sponsor Request

This form is filed by a member who has received agreement from the principal sponsor of a measure to have his or her name added or deleted as a co-sponsor. It is filed with the Clerk when making a formal request for such action on the floor.

Chapter 11

The Legislative Research Commission

The Legislative Research Commission is a statutory agency of Kentucky government, created in and maintained since 1948 as the service arm of the General Assembly. Its membership is bipartisan, being composed of the President and President Pro Tempore of the Senate, the Speaker and Speaker Pro Tempore of the House of Representatives, and for each house the majority and minority floor leaders, caucus chairs, and whips—a total of 16 members, all ex officio. The President of the Senate and the Speaker of the House serve as co-chairs.

The Commission holds regular monthly meetings and may meet on call of the co-chairs or on the written request of any three members. It performs various functions and services for the General Assembly assigned to it by statute, by the Rules of each house, and by its own motion or policy. The following functions are those not covered elsewhere in this handbook.

Research

The Commission is directed by law to make investigations into legislation, governmental agencies and institutions, and matters of public policy that will aid the General Assembly in performing its duties in the most efficient and economical manner. It may also undertake research on its own initiative.

In accordance with this mandate, the Commission is authorized access to the records of all state agencies and institutions, and any private agency and institution that has received public funds, with subpoena power if necessary.

During an interim, the staff may conduct various major research assignments, in addition to providing spot research as requested by interim and standing committees of the General Assembly, individual legislators, other state agencies, and the public.

Peggy King Legislative Reference Library

The Commission maintains the Peggy King Legislative Reference Library in the basement of the Capitol Annex. The library serves as a repository of documents and publications relating to the General Assembly and interim committee activity. In addition, there is a collection of general reference books and public affairs publications. The library has computer online searching capability and an active interlibrary loan program. LRC library holdings and services are available to legislators and support the research and ongoing committee work of LRC staff.

Statute Revision

The Legislative Research Commission is responsible for executing plans and methods for codifying and correcting the Kentucky Revised Statutes.

Bill Drafting And Prefiling

The Legislative Research Commission affords to any member of the General Assembly or any committee of either house the information and assistance necessary in preparing bills, resolutions, amendments, and revisions and substitutes proposed to be introduced in the General Assembly. Legislators may make a request through the Legislative Research Commission Director for Committee and Staff Coordination's office for assistance in bill drafting at any time. A staff person is assigned to work on a particular draft and will confer with the sponsor to ensure the draft accomplishes what the sponsor intends. All bill draft requests are confidential, and staff will work with parties other than the sponsor only at the specific direction of the sponsor. Members are encouraged to work closely with LRC staff to develop their legislation.

Members are authorized to prefile bills and resolutions for an ensuing session with the Legislative Research Commission. The Commission receives these, refers them to the appropriate interim joint committee, posts online, and arranges for immediate printing and distribution to members and the public. These prefiled bills are then introduced on the first legislative day of the next regular session.

Administrative Regulations

Each state administrative agency exercising its authority to promulgate or amend administrative regulations must submit to the Legislative Research Commission the original and five copies of each proposed regulation. Administrative regulations must comply with drafting standards, deadlines, notice, and other requirements imposed by KRS Chapter 13A. After review by the Administrative Regulation Review Subcommittee, an administrative regulation shall be referred to an appropriate interim joint or standing committee for a second review. This second legislative committee has 30 days in which to review the regulation. Emergency regulations become effective upon filing with the LRC and expire 180 days after the date of filing or when the same matter filed as an ordinary administrative regulation is adopted, whichever comes first.

If an administrative regulation is found deficient by either the Administrative Regulation Review Subcommittee or an interim joint committee, the promulgating agency may attempt to amend the regulation to correct the deficiency. If the regulation continues to be deficient, legislation declaring the regulation null, void, and unenforceable may be enacted at a subsequent session of the General Assembly.

Each month, LRC compiles, prints, and distributes on a subscription basis the administrative regulations (filed by noon on the 15th of the previous month) in the *Administrative Register of Kentucky*. Annually, LRC compiles, prints, and distributes the *Kentucky Administrative Regulations Service*, which constitutes the official state publication of administrative regulations and contains all administrative regulations filed with the Commission.

Budget Review

The Commission has assumed its budget review function as a method of providing the Committee on Appropriations and Revenue and the Budget Review Subcommittees adequate knowledge of budget matters pertaining to all agencies of state government. Each branch is required by law to publish an annual financial and program status report detailing activities, appropriations, allotments, expenditures, receipts, transfers, encumbrances, and available balances of each budget unit of the branch, and an explanation of the programs and services provided by the branch.

The Commission has the statutory duty to prescribe uniform instructions and forms to be used by all agencies in developing their budget estimates and requests. Additionally, the Commission receives copies of agency budget requests as they are submitted to designated officials in each branch prior to each legislative session. This information enables the Budget Review staff to prepare for the introduction of the branch biennial budgets and to give them detailed and enlightened study following their receipt by the General Assembly.

Capital Planning Advisory Board

The Capital Planning Advisory Board of the General Assembly is charged with the responsibility of developing in each biennium a comprehensive statewide 6-year capital improvements plan (KRS Chapter 7A). All state agencies' and universities' capital budget needs, including construction, maintenance, and renovation projects, major items of equipment, and real property leases, are identified in biennial capital planning submissions to the board. The board reviews these submissions, conducts hearings to receive input from agency and university representatives and the public, and considers the cross-cutting capital issues of the Commonwealth, such as space needs and a statewide communications network. The board then develops its statewide capital improvements plan for submission to the three branch heads, as statutorily required, by November 1 of odd-numbered years. The board's statewide capital improvements plan includes recommendations of projects to be undertaken or continued in the 6-year planning period, as well as recommendations as to priority and means of funding.

The board was created by the 1990 General Assembly and is composed of 16 members appointed by the heads of the three branches of state government. The board is statutorily defined as an entity of the General Assembly, and the staff and administrative costs of the board are financed by the Legislative Research Commission.

Capital Projects And Bond Oversight

The Capital Projects and Bond Oversight Committee, a permanent subcommittee of the Legislative Research Commission, is charged with overseeing the expenditure of funds budgeted for capital projects; the allotment of funds from the capital construction and equipment purchase contingency account and the

emergency repair, maintenance, and replacement account; the state's acquisition of capital assets, including the lease of real property; and the issuance of bonds or notes by the Commonwealth and the oversight of related individual projects (KRS 45.750).

After capital projects are authorized by the General Assembly, the committee reviews those projects for which modifications are necessitated by circumstances unforeseen at the time the projects were authorized. The committee reviews allotments from the emergency account to finance the cost of equipment purchases and capital construction projects that are needed to maintain government operations and that resulted from disasters, unanticipated deterioration, mechanical or electrical breakdown, or structural defects. Allotments from the contingency account to fund cost overruns for approved projects, feasibility studies, and audits of the capital projects program must be approved by the committee prior to the allotment of the funds.

The Finance and Administration Cabinet is required to report to the committee all new state real property leases with an annual cost of \$200,000 or more. Modifications in any amount to existing leases must also be reported to the committee.

Every state agency authorized to issue bonds, except the Turnpike Authority of Kentucky, and every local school district must, prior to the issuance of any bonds, submit information about the proposed bond issue to the committee for its review and/or recommendation.

The committee also reviews development projects funded with proceeds of state bond issues. Such development projects include local drinking water and wastewater infrastructure projects; and economic development bond-funded projects approved for state loans or grants that have line-item authorization or are approved for funding from the authorized development bond pool.

Child Welfare Oversight And Advisory Committee

The Child Welfare Oversight and Advisory Committee reviews, analyzes, and provides oversight on child welfare issues, including foster care, adoption, and child abuse, neglect, and dependency (KRS 6.943).

Commission On Race And Access To Opportunity

The commission was established in 2021 to study and research issues where disparities may exist across the sectors of education equity, child welfare, health, economic opportunity, juvenile justice, criminal justice, and any other sectors that are deemed relevant in an effort to identify areas of improvement in providing services and opportunities for minority communities (KRS 7.200).

Consensus Forecasting Group

The Consensus Forecasting Group (CFG) was established to enable the executive and legislative branches of government to work cooperatively in preparing consensus revenue estimates to be used as the official basis for budgeting purposes (KRS 48.115). Members of the CFG are selected jointly by the state budget director and the Legislative Research Commission. Historically the CFG has chosen the secretary of the Finance and Administration Cabinet to serve as chair. LRC personnel staff the CFG, to review and independently assess the economic and revenue data and assumptions provided by the Governor's Office for Economic Analysis. Neither LRC staff nor staff of the Governor's Office for Economic Analysis acts as a single source of technical information for the members of the CFG. Members of the CFG are ultimately responsible for making the final determinations on the incorporation of technical information into the official revenue estimates used for budget preparation.

Education Accountability

Under the direction of the Legislative Research Commission, the Office of Education Accountability (OEA) was established by the 1990 General Assembly's passage of the Kentucky Education Reform Act. OEA is advised and monitored by the Education Assessment and Accountability Review Subcommittee (EAARS). As authorized by KRS 7.410, OEA reviews the state's system of school finance; verifies the accuracy of school district and state performance; and investigates unresolved allegations of wrongdoing at the state, regional, and district level. In addition, staff conduct studies and analyze available data on the efficiency of the system of schools to determine whether progress is being made toward attaining the goal of providing students with the seven capacities required by KRS 158.645. The Office of Education Accountability reports periodically to EAARS, and reports annually to the governor, the Legislative Research Commission, and the Kentucky Board of Education, upon approval of the annual report by EAARS. This reporting includes recommendations for improvement.

The Office of Education Accountability has access to all public records and information on testimony given under oath and otherwise confidential records, meetings, and hearings regarding local school district personnel matters. OEA shall not disclose any information contained in or derived from these records that would permit the discovery of the identification of any individual who is the focus or subject of a personnel matter. Any state agency is to notify OEA when it receives a complaint or information that may identify a violation of the Kentucky Education Reform Act.

OEA maintains a toll-free hotline service to receive concerns and complaints from citizens, parents, school district employees, and others. This office is charged with investigating allegations of waste, mismanagement, and illegal activity that have not been adequately addressed or explained by a local district. Concerns and complaints reported to this office regularly involve school-based decision making

(SBDM), special education, the state testing and accountability program, nepotism, governance issues, conflict of interest of board members, inadequate educational programs, and various problems involving local district policies. Issues that are not within the jurisdiction of the OEA are referred back to the local school district or the appropriate state, federal, or investigative agency.

Education Assessment And Accountability Review Subcommittee

The Education Assessment and Accountability Review Subcommittee is empowered to review administrative regulations and advise the Kentucky Board of Education concerning the implementation of the state system of assessment and accountability. The subcommittee also advises and monitors the Office of Education and Accountability (KRS 158.647).

Government Contract Review

State agencies and state universities proposing to negotiate personal service contracts are required to transmit copies of the contracts and supporting documentation to the Government Contract Review Committee of the Legislative Research Commission. The committee reviews the contracts and may lodge any objection it has with the negotiating agency or university (KRS 45A.690). The agency or university may comply with the objection or may propose no such complying action. If the agency or university chooses not to comply, the particular contract is disapproved and sent to the secretary of the Finance and Administration Cabinet or, where applicable, the president of the university. The cabinet secretary or university president may override the committee's objection and allow the contract to remain in effect, or uphold the committee's position and cancel the contract.

Legislative Oversight And Investigations

The Legislative Oversight and Investigations Committee (formerly Program Review and Investigations) is a statutory committee of the General Assembly with staff and support services provided by the Legislative Research Commission. The committee serves as the main investigative committee in the General Assembly. It has the authority to investigate the subjects within the committee's legislative jurisdiction and within the jurisdiction of other standing or statutory committees of the General Assembly. The committee has the discretionary power to review the operations of state agencies and programs, to determine whether funds are being spent for the purposes for which they were appropriated, to evaluate the efficiency of program operations, and to evaluate the impact of state government reorganizations (KRS 6.900 to 6.935).

Medicaid Oversight

The Medicaid Oversight and Advisory Committee is directed to meet at least four times annually to monitor the implementation of Medicaid within the Commonwealth, including access to services, utilization of services, quality of services, and cost containment (KRS 6.940).

Public Pension Oversight Board

The 13-member Public Pension Oversight Board assists the General Assembly with its review, analysis, and oversight of the administration, benefits, investments, funding, laws and administrative regulations, and legislation pertaining to the Kentucky Retirement Systems. Kentucky Retirement Systems encompasses the Kentucky Employees Retirement System, the County Employees Retirement System, and the State Police Retirement System. Members include legislators, executive branch officials, and individuals with specific retirement or investment experience (KRS 7A.200 to 7A.260).

Tobacco Settlement Oversight

The Tobacco Settlement Agreement Fund Oversight Committee is required to review each project being submitted to the Agricultural Development Board for funding from the Tobacco Settlement Fund, to provide findings and determinations to the Legislative Research Commission, and to issue an annual report (KRS 248.723).

Intergovernmental Cooperation

The Legislative Research Commission is directed to encourage and arrange conferences with officials of other states and of other units of government, carry forward the participation of Kentucky as a member of the Council of State Governments and the National Conference of State Legislatures, and formulate proposals for cooperation with other states. The Commission functions as Kentucky's Commission on Interstate Cooperation, and designates persons to represent the Commonwealth at the National Conference of Commissioners on Uniform State Laws.

The Commission, as the Kentucky Commission on Interstate Cooperation, is required to encourage and assist legislative, executive, and judicial officials and employees of the Commonwealth to develop and maintain personal contact with departments, agencies, officials, and employees of other states, the federal government, and local units of government.

Pursuant to these requirements, the Commission designates various legislative members to interstate cooperative bodies (see Appendix A) and represents Kentucky on the Committee on Suggested State Legislation of the Council of State Governments.

Housekeeping And Records Maintenance For The General Assembly

After each session, the Commission assumes custody of all furniture, equipment, records, materials, supplies, and printed copies of bills in possession of the Senate and the House. The Commission may, when the General Assembly is not in session, authorize the expenditure of funds appropriated to the General Assembly to purchase, repair, or maintain furniture, equipment, materials, and supplies, and to contract for services needed by the General Assembly. In addition, when the

General Assembly is not in session, the Commission has jurisdiction over the use of its chambers and over the allocation of all rooms it uses while in session.

In this regard, the Commission maintains a property inventory, pay, and retirement records for members of the General Assembly (see Chapter 2) and arranges and controls the expenditure of General Assembly funds during the interim.

A further proviso on General Assembly records maintenance is the directive that the Commission obtain at the close of each session all the noncurrent records of the General Assembly and each committee and transfer them to the state Archives and Record Center for preservation.

Provision Of Statutes To The General Assembly

By resolution, the 1972 General Assembly directed the Commission to furnish each member of the General Assembly upon request by the member a set of the Kentucky Revised Statutes if the member does not own or have reasonable access to the statutes, for his or her use while in office. The resolution directs return of the statutes when the member vacates his or her seat in the General Assembly.

Legislator Support Services

The Legislative Research Commission has implemented a number of services for members of the General Assembly.

Parking space for legislators is reserved on the second floor of the parking garage, which is connected by a tunnel to the Capitol Annex. Reception/lounge areas, offices, and committee rooms are located in the Capitol Annex.

Services are designed to assist legislators with constituent needs and provide communication links for them.

- The toll-free legislative message line is operational weekdays from 8 a.m. to 4:30 p.m. for citizens to call legislators. The lines are for call-back messages only. The message line hours may be longer during sessions.
- The toll-free bill status line is operational during regular and some special sessions for citizens to receive current information about the status of a particular bill or bills.
- The toll-free calendar line provides daily information about committee meeting dates, times, and agendas.
- The Message Center provides a central location for distribution of mail and messages, which are delivered to legislators several times daily.
- The legislative lounge/reception areas on the second, third, and fourth floors of the Capitol Annex provide legislators a relaxed atmosphere in which to study and confer with each other or with staff. Admission to these areas is limited to members of the General Assembly and their immediate families, and to LRC staff on specific invitation from a legislator for legislative business only.

- Office accommodations for individual legislators are located on the second, third, and fourth floors of the Capitol Annex.
- Secretarial assistance is available for legislators in answering constituent mail and handling other legislative responsibilities. Assignments of great volume or of a long-term basis should be discussed with the supervisor. Nothing of a political nature is handled.
- Couriers are available during the session to take legislators to meetings in other state government locations and to deliver and pick up materials in various state offices.
- The Commission maintains fax units and telephone numbers for electronic transmission of documents.

Public Information Office

The Commission's Public Information Office serves as a resource for the Capitol press corps, the broadcast and print media throughout the state, and the public. It is charged as well with responsibility for developing and distributing informational publications and programs to make the public more aware of the General Assembly, its members, the Legislative Research Commission, and their roles in the government of the Commonwealth. The Public Information Office also provides assistance to members in preparing speeches on legislative issues only.

The information office attempts to publicize the activities of the Kentucky legislative process by means of written releases to the press, and by audio releases for radio stations, using legislators whenever possible. Committee activity releases are mailed to newspapers across the state when appropriate.

This office also contains a video sector to educate and inform the public about the legislature, its processes, activities, and current issues under study.

Computer Services

The Legislative Research Commission computer system manages the extraordinary flow of paperwork in the legislative process. All bills and amendments are produced in standardized format and subsequently tracked via computer application. The system allows efficient engrossing of adopted amendments into the text of bills. Much of the content of large-volume publications, such as the *Legislative Record*, *Kentucky Acts*, *Senate Journal*, *House Journal*, and *Kentucky Administrative Regulations*, is entered and stored in the LRC computer system prior to printing and publication by the agency.

The Commission operates a local area network composed of personal computers. Benefits of this network include access to state-of-the-art software applications, enhanced system stability and reliability, and unlimited expansion capability. Legislators use individually assigned workstations as part of the LRC local area network.

Internet Home Page

LRC internet home page address is legislature.ky.gov. Information accessible to the public via the LRC home page includes the text of bills from previous sessions, chamber roll call votes, bill summaries from previous sessions, and summaries of prefiled bills; names, addresses, email addresses (where applicable), and phone numbers of legislators; toll-free phone numbers; the text of the statutes and regulations; a calendar of committee meetings and committee minutes; general information on the legislative process; and legislative publications. There is a map of Kentucky counties linked to legislators' photos, addresses, and committee assignments for citizens who want to find out who their legislators are. During a session, users have access to the text of current bills and the daily status of bills. A free bill tracking service is also available to all members of the public, as well as to legislators and staff, who wish to track bills.

Videoconference Capabilities

The Legislative Research Commission provides a videoconference system in each of the committee rooms in the Capitol Annex. The videoconference system allows the General Assembly to conduct meetings remotely using a variety of platforms, including but not limited to Zoom and Microsoft Teams.

The videoconference system can enhance citizen participation in the legislative process, principally by facilitating access to committee meetings and associated activities. National and international videoconferences are possible, which permit access by members of the legislature to experts on a multitude of subjects.

Staffing Special Committees

In response to a specific situation, the General Assembly often creates special or temporary legislative research or advisory groups directed to return a report. In such instances, the Legislative Research Commission, as required, becomes the staff agency for these entities (see Chapter 2).

Additional Services

The Commission is called on by the General Assembly for services not otherwise available to the individual members, the leadership, and the Clerks. These include the following.

- **Rules and Parliamentary Advice** - On occasion, the Commission is called on by the legislative leadership for assistance in drafting or amending the Rules governing procedure in each chamber, or in resolving parliamentary questions arising during the course of business.
- **Table of Statutes Affected** - For each bill or amendment offered during a legislative session, the Commission enters those KRS sections affected in a database, which compiles a cumulative table of statutes affected by particular bills.
- **Session Organization Procedure** - The leadership of both chambers calls on the Commission for assistance in preparing the order of business especially applicable to the first day of legislative sessions.

- **Forms and Supplies** - The Commission maintains an inventory of forms used by each Clerk's office during the session and arranges for printing and distribution of these forms.
- **Journals** - The *Journal* Clerks of each chamber rely on advice from the Commission in preparation of the daily *Journal*. Prior to printing, the Commission staff edits each day's *Journal* for accuracy and prepares a comprehensive index.

External Requests

The Legislative Research Commission responds to thousands of requests for information from other state agencies and the general public.

Legislative Budgeting

LRC formulates the biennial budget measure for the legislative branch and implements the enacted budget.

Chapter 12

Interim Joint Committees

Pursuant to statute, the Legislative Research Commission may establish subcommittees as it deems necessary. Also by statutory law, the standing committees of the Senate and the House are combined and aligned by jurisdiction as interim joint committees for operation during the legislative interim. These interim joint committees are considered to be subcommittees of the Legislative Research Commission according to Commission rules and statute.

For the 2021 Interim, these committees were as follows:

- Agriculture
- Appropriations and Revenue
- Banking and Insurance
- Economic Development and Workforce Investment
- Education
- Health, Welfare, and Family Services
- Judiciary
- Licensing, Occupations, and Administrative Regulations
- Local Government
- Natural Resources and Energy
- State Government
- Tourism, Small Business, and Information Technology
- Transportation
- Veterans, Military Affairs, and Public Protection

Duties

Interim joint committees provide continuity of the Kentucky legislative process from one regular session to the next. They enable the members of the General Assembly and the public to examine and discuss issues and possible legislation before a session begins and without the usual pressures typical of a session. These committees consider proposals for legislation or investigate matters referred to them by the Legislative Research Commission, or they may themselves initiate studies or investigations of matters within their jurisdiction.

Jurisdiction

Interim joint committee jurisdiction corresponds to that of standing committees as defined in the Rules of each house of the General Assembly. The Commission decides questions relating to interim joint committee jurisdiction.

Organization

During the organizational part of the odd-year regular session, co-chairs and members of legislative committees are appointed. As required under its Rules of Procedure for Committees, the Commission names as co-chairs of each interim joint committee the chair of the Senate standing committee and the chair of the

House standing committee, which are joining to form the interim committee. Each co-chair has joint responsibility for meeting agendas and co-chairing interim joint committee meetings.

The interim meeting dates for committees are established in a calendar approved by the Legislative Research Commission.

Subcommittees

Subcommittees of interim joint committees are created by approval of the Legislative Research Commission. Co-chairs of interim joint committees submit requests to the Commission that suggest subcommittee titles, membership, and chairs. Co-chairs of interim joint committees serve as voting ex officio members of each subcommittee created for their full committee.

Staff Assistance

The Director of the Legislative Research Commission assigns staff members to assist each interim joint committee and its subcommittees. These persons organize meetings, conduct research, and draft legislation as requested by the committees and subcommittees.

Each committee staff unit is led by a committee staff administrator who is assisted by a number of legislative analysts and clerical personnel.

Meetings—Location, Notice, Procedure

Meetings of interim joint committees and their subcommittees are held primarily in several rooms available on the first floor of the Capitol Annex. Occasionally, committee meetings may be held in a location outside the Frankfort area.

Notice of meeting dates and times is provided to the members by the committee staff, including, when possible, a tentative agenda. The Commission's Public Information Office provides notice of committee meetings to nonlegislators by way of its monthly *Interim Legislative Record* and regular mailings to the various news media. If a meeting is scheduled with less than 2 weeks available for public notice or a meeting is canceled, all interested parties are notified as quickly as possible. All meetings of Commission committees are open to the public.

Prefiling

During an interim, pursuant to KRS 6.245, members of the General Assembly may prefile legislation to be considered at the next regular session. Such bills and resolutions are introduced automatically on the first day of the next session. During the period of interim joint committee activity, the Commission refers all prefiled bills to an appropriate committee for consideration. The committee may take no action on a particular measure; endorse the bill as prefiled, without amendment; amend the bill with the sponsor's consent; or propose amendments with which the sponsor does not agree. Any amendments with which the sponsor agrees are incorporated into the bill prior to its introduction at the session.

Amendments not agreeable to the sponsor are attached to the measure when it is introduced for disposition by the standing committee or full membership of the body.

A Senate bill may be prefiled or approved as prefiled by an interim joint committee if it receives the affirmative votes of a majority of the Senate members of that interim joint committee. A House of Representatives bill may be prefiled or approved as prefiled by an interim joint committee if it receives the affirmative votes of a majority of the House members of that interim joint committee. An interim joint committee shall not prefile a bill or approve a bill as prefiled in any other manner.

Final Reports

When interim committee activity ceases prior to the session, each committee submits a final report to the Legislative Research Commission indicating its endeavors during the interim and its recommendations for legislation to be considered by the forthcoming General Assembly. This legislation may or may not be prefiled on behalf of the committee.

The committee reports received by the Commission are assembled into one document. This document is published as a Commission informational bulletin for distribution to the members and the public.

Appendix A

Interstate Cooperation Committee Appointments

National Conference Of State Legislatures (NCSL) **nctl.org**

Each presiding officer may appoint legislators to each committee; however, each state gets only one vote.

Committees

- Budgets and Revenue
- Communications, Financial Services and Interstate Commerce
- Education
- Health and Human Services
- Labor and Economic Development
- Law, Criminal Justice, and Public Safety
- Natural Resources and Infrastructure
- Redistricting and Elections

The Council Of State Governments (CSG): **Southern Legislative Conference (SLC)** **csg.org slcatlanta.org**

Committees And Appointees

Executive Committee Of The Southern Legislative Conference

The Executive Committee consists of each member state Senate and House appointing authority and presiding officer; two legislators appointed to the Executive Committee by each member state Senate and House appointing authority; and all past chairs of SLC, so long as they remain a legislator of a member state. In addition, the chairs of each standing committee established by SLC shall be an ex-officio member of the Executive Committee.

The appointing authority of each house may appoint up to five Senators and five Representatives, respectively, to the following standing committees of SLC:

- Agriculture and Rural Development
- Economic Development, Transportation, and Cultural Affairs
- Education
- Energy and Environment
- Human Services and Public Safety

The appointing authority of the Senate and House may appoint up to seven Senators and seven Representatives, respectively, to the following committee:

- Fiscal Affairs and Government Operations

Appendix B

Motions Used In Kentucky Parliamentary Practice

Adjourn

Effect or Objective - To stop proceedings for the day and have the body to reconvene at its next regularly scheduled time (next legislative day, next meeting day, etc.). The motion is not in order during roll call or when a member is speaking unless other business has intervened since a previous attempt to adjourn.

Order of Precedence - 3

First two are

- Quorum Call
- Fix Time to Which to Adjourn

Debatable? No
Amendable? No
Vote required: Simple Majority*
Reconsiderable? No
Subsidiary motions applicable? No
Requires a second? Yes

Refer to

- Senate Rules 9, 10
- House Rules 9, 10
- *Mason's Secs.* 200-210
- *Kentucky Constitution Secs.* 37, 41

**Four Senators or five House members may adjourn from day to day. House Rule 10 requires roll call vote, unless order of business is adjournment.*

Amend

Effect or Objective - To modify a proposition, motion, or question from the form in which it was offered originally. The motion is out of order if not germane, if proposition or question is not amendable, or if frivolous or otherwise improper.

Order of Precedence - 11

First 10 are

1. Quorum Call
2. Fix Time to Which to Adjourn
3. Adjourn
4. Recess
5. Lay on the Table
6. Previous Question
7. Limit or Extend Debate
8. Postpone to a Fixed Time

- 9. Lay on the Clerk’s Desk
- 10. Refer or Commit

Debatable? *

Amendable? **

Vote required: Simple Majority

Reconsiderable? Yes

Subsidiary motions applicable? Yes

Requires a second? Yes

Refer to

- Senate Rules 9, 60
- House Rules 9, 60
- *Mason’s Secs. 395-420*

**Not debatable if question proposed for amendment is not debatable.*

***In the second degree only.*

Appeal Of A Ruling Of The Chair

Effect or Objective - To place before the body the question of deciding on the validity of a ruling of the presiding officer. All appeals must be in writing and be signed by at least two members. The appeal must be prompt following the decision appealed, and is out of order if other business intervenes. The ruling of the chair is sustained, unless a constitutional majority opposes the ruling.

Order of Precedence - *

Debatable? No

Amendable? No

Vote required: Constitutional Majority

Reconsiderable? No

Subsidiary motions applicable? **

Requires a second? Yes***

Refer to

- Senate Rule 27
- House Rule 27
- *Mason’s Secs. 230-235; 338-5*

**In order when another member has the floor.*

***Lay on the table only.*

****House requires appeal in writing and signed by at least two members.*

Clincher Motion

Effect or Objective - To render more difficult the reconsideration of an action by the body. Moving the Clincher involves making two simultaneous motions: that the action taken be reconsidered, and that such motion to reconsider be placed upon the table. In order to reconsider any action upon which the Clincher has been applied, it becomes necessary first to remove the clincher, which requires a constitutional majority to adopt (take from the table), rather than a simple majority as would the motion merely to reconsider. Thus reconsideration is made more difficult.

Order of Precedence - None

Debatable? No
Amendable? No
Vote required: Simple Majority
Reconsiderable? No
Subsidiary motions applicable? No
Requires a second? Yes

Refer to

- Senate Rule 14
- House Rule 14

Enacting Clause, Strike

Effect or Objective - To defeat a measure without the need of a roll call vote. This form of a motion to amend has precedence over any regular such motion.

Order of Precedence - None

(but takes precedence over the normal motion to amend)

Debatable? Yes
Amendable? No
Vote required: Simple Majority
Reconsiderable? Yes
Subsidiary motions applicable? Yes
Requires a second? Yes

Refer to

- Senate Rule 16
- House Rule 16
- *Kentucky Constitution Sec. 62*

Use of this motion may necessitate a suspension of the rule (Rule 60, Senate and House) requiring all amendments be written and filed in advance of a motion to adopt. A motion to suspend any rule requires affirmation by a constitutional majority to be adopted.

Fix The Time To Which To Adjourn

Effect or Objective - To establish a convening time for the next session of the body following adjournment of the session at which the motion is made.

Order of Precedence - 2

First one is

- 1. Quorum Call

- Debatable? No
- Amendable? Yes*
- Vote required: Simple Majority
- Reconsiderable? No
- Subsidiary motions applicable? Yes
- Requires a second? Yes

Refer to

- Senate Rules 9, 10
- House Rules 9, 10

**As to time.*

Information, Point Of (Parliamentary Inquiry)

Effect or Objective - To obtain information relative to the propriety of procedure underway or under consideration. The proceedings are interrupted by the inquiry.

Order of Precedence - *

- Debatable? No
- Amendable? No
- Vote required: None
- Reconsiderable? No
- Subsidiary motions applicable? No
- Requires a second? No

Refer to

- *Mason’s* Secs. 250-254

**In order when another member has the floor.*

Lay On The Clerk’s Desk (Postpone Temporarily)

Effect or Objective - To defer action temporarily on a particular question and matters adhering thereto. The matter remains deferred until taken from the Clerk’s desk, by way of a subsequent motion. If not removed from the Clerk’s desk, the matter remains there indefinitely or until the session ends.

Order of Precedence - 9

First eight are

- 1. Quorum Call

2. Fix Time to Which to Adjourn
3. Adjourn
4. Recess
5. Lay on Table
6. Previous Question
7. Limit or Extend Debate
8. Postpone to a Fixed Time

Debatable? Yes
 Amendable? No
 Vote required: Simple Majority
 Reconsiderable? No
 Subsidiary motions applicable? No
 Requires a second? Yes

Refer to

- Senate Rules 9, 15
- House Rules 9, 15
- *Mason's* Secs. 330-342, except Sec. 337(2)

Lay On The Table

Effect or Objective - To defeat any question and matters adhering thereto without the necessity of a roll call vote. This motion may be used in preference to a motion to postpone indefinitely as a means to accomplish such purpose, since it is not debatable and bears a higher order of precedence. This motion requires a constitutional majority to remove.

Order of Precedence - 5

First four are

1. Quorum Call
2. Fix Time to Which to Adjourn
3. Adjourn
4. Recess

Debatable? No
 Amendable? No
 Vote required: Simple Majority
 Reconsiderable? No
 Subsidiary motions applicable? No
 Requires a second? Yes

Refer to

- Senate Rules 9, 11
- House Rules 9, 11
- *Mason's* Sec. 337(2)

Limit Or Extend Limits Of Debate

Effect or Objective - To regulate the time spent in debate on a particular question, without curtailing amendments or bringing the question to an immediate vote, as would be required by a motion for the previous question.

Order of Precedence - 7

First six are

1. Quorum Call
2. Fix Time to Which to Adjourn
3. Adjourn
4. Recess
5. Lay on the Table
6. Previous Question

Debatable? No
 Amendable? Yes
 Vote required: Simple Majority
 Reconsiderable? No
 Subsidiary motions applicable? No
 Requires a second? Yes

Refer to

- Senate Rules 9, 13
- House Rules 9, 13
- *Mason's* Secs. 355-361

Nominations, To Close

Effect or Objective - To prevent the offer of additional candidates for election to an office. The motion may be made following the first nomination to avoid a confrontation of two or more candidates and a recording of each member's vote.

Order of Precedence - None

Debatable? No
 Amendable? No
 Vote required: Simple Majority
 Reconsiderable? No
 Subsidiary motions applicable? No
 Requires a second? Yes

Refer to

- *Mason's* Sec. 549

Order, Point Of (Question Of Order)

Effect or Objective - To call to the attention of the presiding officer some perceived impropriety in procedure or attempted procedure, and beg a ruling on the point. The motion must be raised before the occasion for raising the point has passed.

Order of Precedence - *

- Debatable? Yes
- Amendable? No
- Vote required: None
- Reconsiderable? No
- Subsidiary motions applicable? No**
- Requires a second? No

Refer to

- Senate Rule 27
- House Rule 27
- *Mason’s Secs. 240-246*

**In order when another member has the floor.*

***A decision on a point of order may be appealed or withdrawn.*

Postpone Indefinitely

Effect or Objective - To reject a main question or motion without the necessity of a roll call vote. Use of this motion in Kentucky has an effect identical to a motion to lay on the table—defeating the subject under consideration. Unlike the motion to table, the motion to postpone indefinitely is debatable, is 12th in precedence, is applicable only to main questions or motions, and must be reconsidered to be renewed. Prior to such reconsideration, however, the rule that prohibits any subsequent consideration of a matter that has been postponed indefinitely must be suspended.

Order of Precedence - 12

First 11 are

1. Quorum Call
2. Fix Time to Which to Adjourn
3. Adjourn
4. Recess
5. Lay on the Table
6. Previous Question
7. Limit or Extend Debate
8. Postpone to a Fixed Time
9. Lay on the Clerk’s Desk
10. Refer or Commit
11. Amend

Debatable? Yes
 Amendable? No
 Vote required: Simple Majority
 Reconsiderable? Yes
 Subsidiary motions applicable? Yes
 Requires a second? Yes

Refer to

- Senate Rules 9, 18
- House Rules 9, 18
- *Mason's Secs.* 430-436

Postpone To A Fixed Time (Make A Special Order)

Effect or Objective - To delay consideration of a main motion or question until a stated time, so as to prepare for debate, voting, etc. This motion may be used to avoid commitment or amendment, taking precedence over such motion.

Order of Precedence - 8

First seven are

1. Quorum Call
2. Fix Time to Which to Adjourn
3. Adjourn
4. Recess
5. Lay on the Table
6. Previous Question
7. Limit or Extend Debate

Debatable? Yes*
 Amendable? Yes
 Vote required: Simple Majority
 Reconsiderable? No
 Subsidiary motions applicable? Yes
 Requires a second? Yes

Refer to

- Senate Rule 9
- House Rule 9
- *Mason's Secs.* 365-374

**As to the question of postponement only.*

Previous Question

Effect or Objective - To bring the question to an immediate vote, thereby ending all debate, amendment, and application of subsidiary motions to a question under consideration by the body. On roll call, members may explain

their votes only and may not speak at all if the question (to which the previous question is sought to be applied) is not a debatable question. The motion may not be debated, amended, referred, postponed, or tabled, or have any other such subsidiary motion applied.

Order of Precedence - 6

First five are

1. Quorum Call
2. Fix Time to Which to Adjourn
3. Adjourn
4. Recess
5. Lay on the Table

Debatable? No
Amendable? No
Vote required: Constitutional Majority
Reconsiderable? No
Subsidiary motions applicable? No
Requires a second? Yes

Refer to

- Senate Rules 9, 12
- House Rules 9, 12
- *Mason's* Secs. 345-352

Privilege Of The House, Point Of

Effect or Objective - To call to the attention of the entire body any matter that would affect its proper functioning as a parliamentary body. Examples of such matters would be freedom from disturbance, comfort of the members, disorderly conduct of members, conduct of the media or guests, organization of the house, journals and records, and censure or expulsion of a member or members.

Order of Precedence - *

Debatable? Yes
Amendable? Yes
Vote required: None
Reconsiderable? No
Subsidiary motions applicable? Yes
Requires a second? No

Refer to

- Senate Rule 23
- House Rule 23
- *Mason's* Secs. 220-226
- *Kentucky Constitution* Sec. 39

**In order when another member has the floor.*

Privilege, Personal, Point Of

Effect or Objective - To respond to remarks or allegations affecting the rights, reputation, or conduct of a member, by such member. The point must relate to the person as a member of the body or relate to any charges against his or her character that would, if true, incapacitate him or her from membership. The person making such point must confine himself or herself to the remarks that concern him or her personally and may defend no one other than himself or herself.

Order of Precedence - *

- Debatable? Yes
- Amendable? Yes
- Vote required: None
- Reconsiderable? No
- Subsidiary motions applicable? Yes
- Requires a second? No

Refer to

- House Rule 22A
 - *Mason’s* Secs. 220-226
- *In order when another member has the floor.*

Quorum Call

Effect or Objective - To require a tally of those actually present during a meeting. If the absence of a quorum is discovered, the body is required to adjourn or to send for and arrest absentees until the presence of a quorum is reestablished. This motion is in order at any time.

Order of Precedence - 1

- Debatable? No
- Amendable? No
- Vote required: None
- Reconsiderable? No
- Subsidiary motions applicable? No
- Requires a second? Yes

Refer to

- Senate Rules 2, 9
- House Rules 2, 9
- *Mason’s* Sec. 504
- *Kentucky Constitution* Sec. 37

Recess

Effect or Objective - To interrupt the proceedings of the body temporarily, but not for the day. The recess may be for a definite or indefinite length of time. If no time period is specified in the motion, the recess is terminated on call to order by the presiding officer.

Order of Precedence - 4

First three are

1. Quorum Call
2. Fix Time to Which to adjourn
3. Adjourn

Debatable? No
 Amendable? Yes*
 Vote required: Simple Majority
 Reconsiderable? No
 Subsidiary motions applicable? No
 Requires a second? Yes

Refer to

- Senate Rules 9, 10
 - House Rules 9, 10
 - *Mason’s Secs. 214-216*
- *Only as to the length of the recess.*

Reconsider

Effect or Objective - To bring before the body a question previously decided. This motion must be offered by a member having voted previously on the prevailing side, and be offered, in the General Assembly, within 2 legislative days after the vote was taken. The motion is in order when another member has the floor.

Order of Precedence - None

Debatable? *
 Amendable? No
 Vote required: Simple Majority
 Reconsiderable? No
 Subsidiary motions applicable? Yes
 Requires a second? Yes

Refer to

- Senate Rule 14
 - House Rule 14
 - *Mason’s Secs. 450-473*
- *Nondebatable if question being reconsidered is nondebatable.*

Refer Or Commit

Effect or Objective - In many instances the purpose of a motion to refer a matter to committee is to prevent or delay action on the matter referred. Mainly, however, the purpose is to permit additional study or a redefinition of the proposal, or to gather information not otherwise available without involving the entire membership of the body. Bills in the General Assembly may be recommitted at any time prior to passage.

Order of Precedence - 10

First nine are

1. Quorum Call
2. Fix Time to Which to Adjourn
3. Adjourn
4. Recess
5. Lay on the Table
6. Previous Question
7. Limit or Extend Debate
8. Postpone to a Fixed Time
9. Lay on the Clerk's Desk

Debatable? Yes
Amendable? *
Vote required: Simple Majority
Reconsiderable? No**
Subsidiary motions applicable? Yes
Requires a second? Yes

Refer to

- Senate Rule 9
- House Rule 9
- *Mason's Secs. 378-390*

**Only as to the committee or its instructions.*

***The matter referred may be withdrawn from committee.*

Rescind

Effect or Objective - To void or nullify some question previously decided in the affirmative by the body. This motion does not by virtue of its adoption return the question rescinded to the consideration of the body, but rather deletes the affirmative accomplishment of the action. This motion may be offered by any member regardless of how the member voted on the question previously and may be offered at any time following initial action on the question to be rescinded. This motion avoids the necessity of suspending the Rules to reconsider a question after expiration of 2 legislative days, if the attempt implies a change from affirmative to negative consideration.

Order of Precedence - None

Debatable? Yes
 Amendable? Yes
 Vote required: Same as for Question Rescinded
 Reconsiderable? Yes
 Subsidiary motions applicable? Yes
 Requires a second? Yes

Refer to

- *Mason's Secs. 480-483*

Rules, Adopt Or Amend

Effect or Objective - By custom and necessity a parliamentary body adopts and may amend rules to provide for and define its organization, officers, committees, and specific procedures. The need to adopt rules of procedure precedes virtually any other action by the body.

Order of Precedence - None

Debatable? Yes
 Amendable? Yes
 Vote required: Constitutional Majority
 Reconsiderable? Yes
 Subsidiary motions applicable? Yes
 Requires a second? Yes

Refer to

- Senate Rules 74, 75
- House Rules 74, 75
- *Mason's Secs. 10-16; 407*
- *Kentucky Constitution Sec. 39*

Rules, Suspend

Effect or Objective - In most instances the objective of this motion is to deviate from the regular order of business. The suspension endures only for a purpose stated in the motion to suspend and only for as long as necessary to complete the action for which the suspension is invoked. Having failed, the motion may not be renewed for the same purpose on the same day unless other business intervenes or the parliamentary situation changes.

Order of Precedence - None

Debatable? No
 Amendable? No
 Vote required: Constitutional Majority
 Reconsiderable? No
 Subsidiary motions applicable? No
 Requires a second? Yes

Refer to

- Senate Rule 75
- House Rule 75
- *Mason’s Secs. 14; 279-286*
- *Kentucky Constitution Sec. 39*

Take From The Clerk’s Desk

Effect or Objective - To recall for action any matter having been postponed temporarily by placement on the Clerk’s desk. This motion is not in order when any other question is pending before the body.

Order of Precedence - None

- Debatable? No
- Amendable? No
- Vote required: Simple Majority
- Reconsiderable? No
- Subsidiary motions applicable? No
- Requires a second? Yes

Refer to

- Senate Rule 15
- House Rule 15
- *Mason’s Sec. 493*

Take From Committee (Discharge Petition)

Effect or Objective - To bring before the entire body any question previously referred to committee and remaining unreported. The action usually contemplates giving the bill its first reading, although reassignment to another committee could be the objective. The question is whether the bill has been held an unreasonable time.

Order of Precedence - None

- Debatable? Yes
- Amendable? No
- Vote required: Constitutional Majority
- Reconsiderable? No
- Subsidiary motions applicable? No
- Requires a second? Yes

Refer to

- Senate Rule 48*
- House Rule 48*
- *Mason’s Secs. 390, 491*
- *Kentucky Constitution Sec. 46*

**The Rules of each house require the filing of a discharge petition with the clerk on the day prior to the day such motion will be made. House Rule requires the petition to be signed by 25 members.*

Take From The Table (Reconsider A Motion To Lay On The Table)

Effect or Objective - This motion revives a question that has been laid on the table previously. The motion is not in order if any other question is before the body.

Order of Precedence - None

Debatable? No
Amendable? No
Vote required: Constitutional Majority
Reconsiderable? No
Subsidiary motions applicable? No
Requires a second? Yes

Refer to

- Senate Rule 11
- House Rule 11
- *Mason's* Sec. 492

Appendix C

Legislative Glossary

- Absence, Excused** - not present, with consent of the body
- Acts** - the volume of bills enacted at one session; published by the Legislative Research Commission
- Adjourn (Motion to)** - an action to discontinue proceedings for the day; a privileged motion non-debatable, not subject to amendment, and requires for its adoption the assenting votes of a majority of the members voting
- Adjournment *Sine Die*** - adjournment “without a day;” ends a session since no time is set for reconvening; may occur at any time during a session
- Administrative Regulation** - policy implemented by an executive-branch agency or department, under authority granted by the General Assembly
- Administration Bill** - legislation introduced at the behest of an executive-branch agency or department, usually sponsored by the majority floor leader
- Adoption** - approval or acceptance; usually applied to resolutions or amendments
- Amend (Motion to)** - action to modify the contents of a bill or question under consideration; is in order at any time prior to final passage, unless the previous question has been ordered
- Amendment** - any alteration made or proposed to a bill, motion, or clause thereof, by adding, substituting, or deleting
- Annotation** - a capsule summary of an opinion by the Supreme Court bearing on its interpretation of a statute or section of the constitution
- Appeal** - in parliamentary terms the request that the membership of the body decide on the validity of a decision or ruling by the presiding officer
- Apportionment** - the definition of districts from which the members of a legislative body are elected
- Appropriation** - a sum of money allocated by the legislative body to a specific use by a specific agency of government
- Archives** - the location and contents of public records and documents of historic value
- Bicameral** - a legislature composed of two chambers
- Bill** - a written proposal for creation, modification, or repeal of statute law
- Bill History** - a record of actions taken on a bill by the General Assembly
- Bill Jacket** - a protective cover placed on the introductory copies of a bill or resolution
- Bill Summary** - a brief statement of the content and changes to law proposed in a bill
- Budget** - a plan or proposal for the allocation of public moneys over a given period of time
- Calendar** - a list of bills and resolutions that have had one reading and are ready for second reading
- Call of the House** - a request for roll call, and the taking of such roll, during the course of proceedings in order to determine the presence of a quorum
- Call to Order** - announcement by the presiding officer that a deliberative body is convened officially and ready to proceed with its business

Caucus - a closed meeting of a particular group of legislators, usually those of a particular party, to discuss strategy, programs, or legislation

Censure - action by a legislative body officially to reprimand a public official for actions while in office

Chair - the presiding officer of a deliberative body

Chamber - the official room or location for meetings of a legislative body

Clerk or Chief Clerk - a nonmember of a legislative body selected by it to act as its chief administrative officer; usually a constitutional office

Clerk's Desk - the area at the front of the chamber where the clerk is stationed during proceedings

Clincher Motion - a motion to make reconsideration of a question more difficult; involves two actions—a motion to reconsider the question and with a second motion to lay such motion to reconsider on the table, thereby necessitating approval by a constitutional majority, rather than a simple majority, for the question of reconsideration

Committee - a group of legislators, usually members of the same house, assigned to consider some issue or question and submit a report on its recommendations for action by the body that created it

Committee Amendment - an amendment to a bill that is attached to the bill by a committee and made a part of the committee's report on the bill

Committee Chair - the presiding officer of a committee

Committee on Conference - a joint committee of Senators and Representatives directed to reach agreement on legislation on which the two houses are unable to agree

Committee, Interim Joint - a committee composed of all members of a Senate standing committee and all members of a House standing committee, which meets between sessions as a subcommittee of the Legislative Research Commission

Committee of the Whole - resolution of the entire house membership into a single committee

Committee Report - the document by which a committee submits its recommendations to its parent body

Committee, Special - a committee established to consider only one issue and that ceases to exist after submitting its report

Committee, Standing - a committee established to function for the entire session to consider any questions the body cares to submit to it

Committee Substitute - a bill offered by a committee in lieu of a bill it has considered; technically, an amendment to the original bill

Companion Bill - a bill that is identical to a bill having been introduced in the opposite house

Concurrence - action by one house to agree to modification of its legislation by the opposite house

Conflict of Interest - threat to the public interest by a private interest; usually the position of a legislator unable to vote impartially due to some personal interest in a legislative matter

Consent Calendar (or Consent Orders) - a list of bills having had one or two readings and on which members in attendance are presumed to vote yes unless they indicate a negative vote prior to the call of the roll

Constituent - a citizen who resides in the district of a legislator

Constitution - a written instrument defining and limiting the duties and powers of a government and guaranteeing certain rights to the people who are subject to the edicts of such government

Constitutional Amendment - a proposal to modify a constitution in some manner

Constitutional Convention - an assemblage convened for the purpose of writing or rewriting a constitution

Constitutional Majority - one more than half of the members of a deliberative body

Constitutional Officer - an officer selected by a legislative body in compliance with a constitutional provision that it do so; in Kentucky, these officers are clerk, assistant clerk, enrolling clerk, sergeant-at-arms, doorkeeper, cloakroom keeper, janitor, and page

Contested Seat - assertion by two or more persons of the right to represent a given district in a legislative assembly

Contingency Fund - money appropriated (to the governor in Kentucky) to meet expenses that are unforeseen at the time of budget preparation

Convene - the assembly or meeting of a legislative body on the periodic basis provided by law

Co-Sponsor - a sponsor of a bill or resolution who is not the principal sponsor

Debate - discussion of a question according to parliamentary rules

Deficiency Appropriation - an appropriation to compensate for an impending deficit in an account budgeted for the preceding time period

Dilatory - designed to cause delay

Discharge Petition - a notice filed 1 day in advance of an attempt to take a bill or resolution from committee

Dissent - disagreement or the casting of a negative vote

District - the area or division of the governed territory that is represented by an individual member of its legislative body

Division - a method of voting by way of a show of hands or by standing; provides a count without a roll call

Division of a Question - the separation of one item to be voted on into two or more items to be voted on

Effective Date - the date on which a legislative measure becomes effective as a part of the law; in Kentucky, usually 90 days after *sine die* adjournment

Election - the process of selecting a person to occupy an office, by way of balloting

Emergency Clause - provision in a bill that it become effective immediately upon approval by the governor rather than 90 days after adjournment

Enabling Act - legislation permitting an entity that depends on the legislative body for its power to take a certain action

Enacting Clause - the clause preceding any legislative measure that expresses formally the legislative sanction of the body promulgating the enactment

- En Bloc Voting** - to consider several questions in a single vote; or to vote as a unit on a particular question, such as when all Senators present are presumed to vote yes *en bloc* on consent bills
- Engrossment** - the act of perfecting an item of legislation in accordance with any amendments that have been adopted to it since its origin
- Enrollment** - the act of comparing a printed bill to be transmitted to the governor with the original introduced bill with all amendments to ascertain their identical form
- Executive Order** - action by the governor in implementing his or her authority under the law
- Executive Session** - a meeting of any deliberative body that excludes from attendance any person who is not a member of the body or one of its essential staff
- Ex Officio** - the holding of an office or assumption of a duty by virtue of holding a particular office; as when the majority floor leader is by virtue of that office an ex officio member of the Legislative Research Commission
- Expunge** - action to delete certain portions of the official record of a legislative body
- File** - a collection of documents belonging in the same or a similar category; or the act of presenting a paper or document to an official entity such as a court or legislative body
- Fiscal Statement** - an attachment to a bill or resolution indicating its fiscal impact on a particular political jurisdiction or system
- Fiscal Year** - an accounting period of 12 months
- Floor** - the area of a legislative chamber that is occupied by the members and staff of the body
- Floor Amendment** - an amendment filed with the clerk to be considered on third reading of the bill to which it has been filed
- Gallery** - the area of a legislative chamber from which the proceedings may be viewed by spectators; usually a balcony or other raised area
- General Orders** - a list of measures eligible for debate, amendment, and voting on a given day without reference to a particular time of day or place in the order of business
- Germaneness** - the relevance or appropriateness of a particular question, usually an amendment
- Gerrymandering** - the act of drawing legislative district boundaries to gain partisan or factional political advantages
- Governor's Proclamation** - the document issued by the governor to convene an extraordinary session of the legislative body
- Grandfather Clause** - exemption from regulation for certain persons having engaged in the regulated activity for a specified period of time prior to the effective date of the regulatory legislation
- Hearing** - a meeting, usually of a committee, at which testimony on a question or issue is accepted from the public generally or from invited witnesses
- Hopper** - colloquial name given the repository for bills awaiting introduction; filed with the clerk

House - house—one body of deliberation in a legislature; House—customarily a shortened name for the House of Representatives

Immunity - constitutionally, legislators are privileged from arrest, except for certain offenses, and may not be brought to question for actions taken as part of the legislative process

Impeachment - a legal procedure, originating in the legislative branch of government, by which public officials may be removed from office by reason of misconduct

Initiative - a procedure by which the general public may present and require consideration of legislative proposals

Interim - the period of time between sessions of a legislature

Introduction - the presentation of a bill or resolution to the legislative body for its consideration

Invocation - the prayer preceding each daily session of a legislative body

Journal - the official, written record of the proceedings of a legislative body

Kentucky Revised Statutes - the official title of statutory law in Kentucky; each bill creates, amends, or repeals a section of the KRS

Lay on the Clerk's Desk (Motion to) - an action to place a measure in a position of temporary postponement

Lay on the Table (Motion to) - an action to declare a measure defeated

Legislative Agent - a person engaged for compensation to represent a particular interest or group of interests before the legislature; commonly referred to as lobbyist

Legislator - a member of a legislature

Legislature - a deliberative, representative assembly formed by constitution to enact changes in statutory law; usually refers to the state-level of government

Lobbyist - *See* Legislative Agent

Majority Caucus Chair - a member affiliated with the majority party who is responsible for convening the caucus of his or her party and presiding over its deliberations

Majority Floor Leader - a member affiliated with the majority party designated to act for the party during proceedings on the floor

Majority Party - the political party whose members occupy at least one more than half of the total membership of the body

Majority Whip - a member affiliated with the majority party who is designated to assist the floor leader during proceedings on the floor

Mason's Manual - a volume of parliamentary law and procedure providing a basis for ruling on questions of order in the General Assembly

Members-Elect - persons having been elected members of a legislative body but not yet having been sworn into office

Memorialize - to serve as a memorial to a person, persons, or an event

Message - an official communication from beyond the body that is read into and made a portion of its journal

Minority Caucus Chair — a member affiliated with the minority party who is responsible for convening the caucus of his party and presiding over its deliberations

Minority Floor Leader - the minority party officer corresponding to the majority floor leader

Minority Party - the political party whose members occupy less than one-half of the total membership of the body

Minority Report - a report filed by those members of a committee in the minority relative to the decision of the majority of the committee; may be adopted in lieu of the majority report

Minutes - the written record of proceedings of a deliberative body

Motion - a proposal, usually oral, made to the presiding officer calling for specific action by the body; the principal tool used to conduct legislative business

Nomination - the placement of a person's name in consideration for election or appointment to an office

Nondebatable - those subjects or motions that under parliamentary rules may not be discussed or debated

Oath of Office - oath or vow taken by public officers prior to being seated and taking up their official duties

Ombudsman - an official, usually appointed, charged with receiving and investigating public complaints and directing action by the responsible agency

Order of Business - the defined routine of procedure in the legislative body each day; may be deviated from only by suspension of the rules

Orders of the Day - a list of bills and resolutions scheduled for third reading, debate, amendment, and vote on a particular day

Out of Order - the offer of an improper motion, amendment, or question to a deliberative body

Oversight Committee - a legislative committee created to maintain a review of some aspect or operation of government, usually related to the executive branch

Pairs, or Pairing - an arrangement between two members by which they agree to be recorded as voting on opposite sides of an issue and to be absent when the vote is taken

Parliamentary Inquiry - a question posed to the presiding officer for clarification of a particular point in the proceedings

Passage - the approval of a bill or resolution by way of an affirmative vote

Per Diem - a day-to-day basis of compensation for services

Petition - a formal, written request submitted by an individual or group to some official body or agency

Piggyback Amendment - any amendment to a bill under consideration containing the substantial text of the language of any other bill introduced during the session

Pink Slip - the colloquial term applied to the form used for technical or typographical changes to bills in Kentucky without benefit of amendment; originates in the Legislative Research Commission

Point of Order - the calling of attention to a breach of order or the rules

Point of Personal Privilege - defense of the rights, reputation, or conduct of a legislator in his or her official capacity

Posted for Passage - placement of a bill on Orders of the Day for a specified date

Posted in Committee - notice of possible consideration of a bill by a committee at its next meeting

Postpone Indefinitely (Motion to) - action to prevent consideration of a measure for the remainder of the session, unless a constitutional majority sustains a motion to reconsider the matter

Postpone to a Fixed Time (Motion to) - to defer consideration of a question until a time specified in the motion

Precedent - previous evidence or example for action or decision on a question

Prefiled Bill - a bill filed prior to the session for public discussion and printing

President - the presiding officer in the Senate

President Pro Tempore - the member of the Senate selected to preside in the absence or inability of the President

Presiding Officer - the person designated to preside over the proceedings of a legislative body

Previous Question (Motion for) - action to prevent additional debate on or amendment of a question and to cause an immediate vote on the matter at issue

Privileged Motion - motion to which a special status is applied whereby it takes precedence if offered while other matters are pending

Privilege of the Floor - authorization for members of the general public to visit the floor, granted usually for the day

Procedure - rules and traditional practices of the respective houses of the legislature

Question - call for the vote on a matter

Quorum - the number of members of a legislative body who must be present for it to transact business

Quorum Call - action to require a call of the roll to determine the presence of a quorum

Ratify - to approve and make valid

Reading - each bill to be enacted in Kentucky must have three readings, generally by title and sponsor in each house

Reapportionment - redrawing legislative district boundaries to provide equality of representation

Recall - to cause removal of a legislative enactment or public official by popular action

Recede - to undo action previously taken

Recess - intermission during a daily session, usually for caucus or committee meetings

Recommit (Motion to) - action to send a measure to committee after it has been previously reported

Reconsider (Motion to) - action to retake a vote; may be offered only by a member having voted previously on the prevailing side

Refer - to send a measure or question to committee

Referendum - submission of a question to decision by the electorate

Repeal - to delete and make of no effect

Report - to communicate opinion or recommendations

Rescind - to annul or undo an action previously taken

Resolution, Concurrent - expression of opinion, notice, or request by both houses of a legislature, without the force of law

Resolution, Joint - an enactment of matters of law not to be made a portion of the statutes

Resolution, Simple - expression or request by one house

Resolving Clause - language in a resolution defining the action taken

Revenue - the yield of taxes and other sources of public money

Revision - the process of inserting the enactments of a session into existing statute law

Roll Call - to determine a vote on a question by a taking of names in favor and opposed

Rules - a code of procedure adopted by each house of a legislature to govern its operation

Ruling of the Chair - a decision by the presiding officer concerning a question of order or procedure

Section - a division of a bill or statute, separated according to topic covered or action taken

Seniority - length of service as bearing on duties or functions

Session, Extraordinary - a session convened by call of the governor, usually called a "special session"

Session, Regular - a session convened on a regular basis by way of constitutional provision as to its date and length

Simple Majority - a majority of those voting on a question

Speaker - the presiding officer of the House of Representatives

Speaker Pro Tempore - the member of the House of Representatives selected to preside in the absence or inability of the Speaker

Special Order - an action predetermined to occur at a specific time on a specific date

Sponsor - the legislator responsible for presenting an item of legislation to the body

Stationery Allowance - each member is given an allowance per session for the purchase of stationery

Statute - a written law passed by a legislative body

Statute Revision - the process of inserting the enactments of a session into existing statutory law

Sunset Legislation - law requiring termination of a particular agency or program on a predetermined date, unless justification for continuance is presented to the legislature prior to such occurrence

Suspend the Rules - negate the application of a particular rule of procedure; the rule and purpose must be stated in the motion to suspend

Term of Office - the period of time for which a person is elected or appointed to occupy an office or position

Title - a caption indicating the subject matter of a bill or resolution, required by the constitution

Unanimous Consent - a vote, by voice, expressing adoption of a question without dissent or objection

Unicameral - a legislature of one chamber

Veto - rejection of an enactment without authority to modify; usually the prerogative of the governor

Veto Override - authority or action of the legislature to overturn a rejection of legislation by the governor

Voice Vote - a method of voting whereby only a vocal response to a question is indicated

Vote - a decision on a question by a member of a deliberative body, either affirmative or negative

Withdraw - to recall, remove, or delete a question from consideration

Yield - a parliamentary term referring to the cession of the floor by one member to another

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