

# INSIDE THE LEGISLATIVE BRANCH

**KENTUCKY STATE GOVERNMENT**





# Inside The Legislative Branch Of Kentucky State Government

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## Foreword

Of the three branches of state government, the legislative branch is the one closest to the people. Citizens elect legislators from their communities to be their voice in Frankfort. Learning how the legislative branch functions is helpful in understanding its role in state government as a whole.

The Legislative Research Commission serves as the administrative and research arm of the General Assembly. Its staff is composed of a diverse group of people who bring a wealth of knowledge to the process of helping the state's lawmakers make decisions regarding the future of Kentucky.

This publication is intended to give citizens a better understanding of the role the Legislative Research Commission plays in state government.

Legislative Research Commission  
Frankfort, Kentucky



# The Legislature And The Constitution

Kentucky originally was a county of Virginia when its citizens petitioned to become a separate political entity. On June 1, 1792, Kentucky became the 15th state. The first General Assembly, with 21 members, met in 1792 in Lexington to form a state government. Frankfort was chosen as the state capital in part because of geography: it sits on the Kentucky River and was nearly the

central point of the state's population. Frankfort also donated land and building materials. The General Assembly has met in Frankfort since 1793. The legislature has met in the current Capitol building since 1910.

Kentucky changed rapidly during its early years as a state as its population increased dramatically. More people meant an increased need for an organized and evolving government. The first constitution of Kentucky was adopted in 1792. Seven short, but busy, years later that document was revised, and a new constitution was approved in 1799; a third was adopted in 1850; and the fourth (the current) was adopted in 1891. Throughout history, the constitution also has been amended by the people to address specific issues.



March 21, 1914, Kentucky repealed all laws relating to child labor and made it illegal for any child younger than 14 to work during school hours.

The state's constitution provides for three branches of government: legislative, judicial, and executive. The legislative branch enacts laws; the judicial branch interprets laws; and the executive branch administers laws. In addition to making the state's laws, the legislature also enacts a state budget and levies taxes.

# Legislative Sessions

## Regular Sessions

The Constitution of Kentucky requires the General Assembly to meet in Frankfort every year on the first Tuesday after the first Monday in January.

### Even-Numbered Years

- Begin January
- Number of legislative days\* not more than 60
- End no later than April 15

### Odd-Numbered Years

- Part 1 – Organizational Component – Begin January
- Part 2 – Begin first Tuesday in February
- Number of legislative days\* not more than 30
- End no later than March 30



\*A legislative day is a calendar day with the exception of Sundays, legal holidays, and any day on which neither chamber meets.



January 26, 1882,  
Kentucky allowed  
African Americans  
to serve on juries.

## **Extraordinary (Special) Sessions**

Only the governor may call a special session and it may address only the subjects specified in the governor's call. Though only the governor may call a special session, it is the legislature that determines the process and decides when the session will end. Although there is no time limit on special sessions, they usually are brief.

## **Districts**

Kentucky follows a bicameral form of government consisting of a Senate and a House of Representatives. Legislators are elected by the citizens of their designated legislative area—district—to be their voice in government. The constitution requires the General Assembly to divide the state into 38 Senate districts and 100 House districts as nearly equal in population as possible. The General Assembly must review the districts at least every 10 years and redivide them if necessary.

## **Senators**

The constitution establishes terms and qualifications for legislators. A senator must be at least 30 years old, a citizen of Kentucky, and must have lived in the state at least six years immediately preceding an election. A senator must live in the district for at

least one year prior to election. Senators are elected for four-year terms, with half the Senate elected every two years.

## Representatives

A representative must be at least 24 years old, a citizen of Kentucky, and must have lived in the state for at least two years and in the district for one year prior to election. Representatives are elected for two-year terms, with the entire House elected every two years.

## Leadership

The leadership of the Senate and House are defined both by the constitution and by the legislative traditions of the General Assembly. The constitution requires that members of the Senate elect a President and that members of the House elect a Speaker. The members of each chamber also elect a President Pro Tempore and a Speaker Pro Tempore.

The traditions of the legislature allow for the members to elect additional legislative leaders—floor leaders, caucus chairs, and whips—who are selected by their political parties' caucuses during the organizational phase of odd-year sessions. These leaders are responsible for seeing that the interests of their respective party caucuses are served.



January 6, 1920, the General Assembly ratified the 19th amendment to the US Constitution, giving women the right to vote.

## Constitutional Officers

The constitution also mandates a number of constitutional officers to carry out some of the clerical and support activities for the General Assembly. Among these are the chief clerks elected by each chamber.

The clerks and their staffs, assisted by the staff of the Legislative

Research Commission, are responsible for recording the minutes of each session, roll calls and votes, and bill calendars; recording committee assignments; certifying the passage of bills and resolutions; keeping equipment inventories; and keeping the official Journal of each chamber.

Clerks and LRC staff see that amendments are incorporated into bills before they go from one chamber to the other. They also make sure that final copies signed by the presiding officer in each chamber contain the exact wording approved by the Senate and House.

The sergeants-at-arms clear unauthorized persons from the floor of the Senate and House before each session and as otherwise directed. They also clear the galleries if there is a disturbance.



March 14, 1878, Kentucky became the third state in the nation to establish a State Board of Health.

# The Legislative Process

## Standing Committees

Standing committees play a vital role in the legislative process. Both the House and the Senate are organized into separate standing committees to facilitate the most efficient use of time and resources while considering individual pieces of legislation. Each legislator is assigned to serve on at least one standing committee. These committees collectively may consider more than 1,000 pieces of legislation during a session and decide which should advance to the full Senate or House. In each chamber, the Committee on Committees assigns bills to one of its several standing committees. Assignments are determined by the subject of each bill. Rules adopted at the beginning of the session list subjects that fall within each committee's jurisdiction.

The Committee on Committees also selects the chair, vice chair, and members of each standing committee.

The chair of each committee, in consultation with leadership, determines which and in what order bills will be considered. A committee may schedule a public hearing on the subject before acting on specific legislation. Supporters and opponents of a particular bill are often invited to address a committee.

Committees may send bills to the full Senate or House for consideration with or without proposing changes (amendments) to the bill. Bills also may be retained in the Senate or House committee.

Approximately half the bills introduced each session never get out of committee.

## Order Of Business

The exact order of business varies slightly between the Senate and the House of Representatives. The exact order of business is laid out in each chamber's official Rules. Both chambers follow parliamentary procedure for conducting business.

Below is a typical day's chamber proceedings.

- **Invocation**

Each day begins with a prayer. At the beginning of each legislative session, resolutions are adopted inviting area ministers to offer the invocation.



March 15, 1898, Kentucky became one of the nation's leaders in the pure-food movement by enacting laws to regulate the manufacture and sale of food.

- **Pledge Of Allegiance**

- **Roll Call**

The clerk calls the roll to see if the constitutionally required number of members is present to conduct business.

- **Reading And Approval Of The *Journal***

A motion is usually made that the reading of the previous day's actions (the *Journal*) be dispensed with and approved.

- **Second Reading Of Bills**

Bills on the Calendar are given their second reading, by title only, and sent to the Rules Committee.

- **Report Of Committees**

The clerk reads committee action on bills.

- **First Reading Of Bills**

The constitution requires all bills be “read” on three separate days. These bills are read by title only.

A favorable committee report constitutes the first reading of a bill. Bills that have received a first reading are placed on the Calendar for the following day.

- **Orders Of The Day**

The Rules Committee posts legislation in the Orders of the Day. The majority floor leader calls bills from the Orders of the Day for debate, amendment, or other floor action.

- **Third Reading And Passage Of Bills**

It is usually the majority floor leader who makes a motion that a bill be given its third reading, by title only, to open the floor for debate on the bill.



March 24, 1908, the General Assembly passed legislation that every county would be a school district and each would have a public high school.

- **Motions, Petitions, Communications, And Announcements**

A member may present any matter he or she wishes to have considered that can be appropriately characterized as a motion, petition, communication, or announcement.

- **Introduction And Reading Of New Bills And Resolutions**

The clerk numbers bills and resolutions as they are received and reads new ones by title and sponsor. Bills and resolutions are identified by number throughout their consideration.



March 29, 1902, the General Assembly created the Kentucky State Fair.

- **Report Of Referrals Of Bills To Committees**

The clerk announces to which standing committees bills have been referred by the Committee on Committees.

- **Adjournment**

The presiding officer asks if there is any further business. If not, upon motion, the chamber adjourns.

## **Adjourning And Convening**

Each chamber decides individually every day it is in session when to adjourn and when to convene for the next working day.

## Chamber Decorum

The rules of each chamber state that members are not to address each other on the floor by name. Senators must refer to each other as “The senator from (a particular county or district).”

House members refer to their colleagues as “The gentleman (or lady) from ....” Senators address the presiding officer as “Mr. (or Madam) President”; and House members, “Mr. (or Madam) Speaker.”

Members who use objectionable language on the floor may be called to order by the chair.

## Bills

Only a member of the General Assembly can introduce legislation. Legislators, however, often introduce bills suggested by citizens or various organizations.

Bills vary in length from a single paragraph to hundreds of pages. The constitution requires that a bill relate to only one subject, which must be stated in the title. Bills that do not follow this rule may be ruled unconstitutional. The constitution prohibits special laws applying to only one city, town, county, or person.

All bills must begin with these words: “Be it enacted by the General Assembly of the Commonwealth of Kentucky.”



March 23, 1920, the General Assembly passed a law requiring motor-vehicle registration and licensing of vehicle operators.



Some bills pass with few changes (amendments) and little discussion. Others are subjected to intense examination and undergo major changes before becoming law. Amendments may be proposed by a committee or a legislator, but amendments must be approved by the full Senate or House before they are incorporated into the bill. If a committee changes a bill significantly, a committee substitute may be adopted. Once adopted, a committee substitute is considered as the original bill for purposes of further amendments.

Bills are introduced after legislators deliver them to the Senate or House clerk.

Below is the basic process a bill must follow to be enacted into law (Kentucky Revised Statutes):

### • **Introduction And Committee Referral**

A bill may be introduced in the Senate or House. However, a bill that raises revenue must be introduced in the House. Each bill is assigned a number, read by title and sponsor, and referred to a standing committee by the Committee on Committees.

### • **Committee Consideration**

Committee meetings are open to the public except when exempted by the Open Meetings Law. When there is sufficient interest in a subject, a public hearing may be held. A bill may be reported out of committee



March 17, 1914, the General Assembly created the Kentucky Illiteracy Commission.

with one of the following expressions of opinion: favorable; favorable with committee amendments; favorable with committee substitute; unfavorable; or, in the Senate, without opinion.

A committee can essentially kill a bill by failing to act on it.



November 1949, Carolyn Conn Moore of Franklin became the first woman elected to the Senate.

### • **First Reading**

When a committee reports a bill favorably, the bill has its first reading and is placed on the Calendar for the following day.

### • **Second Reading; To Rules**

The bill is read by title a second time and sent to the Rules Committee. The Rules Committee may recommit the bill (send it back to a committee) or place it in the Orders of the Day for consideration.

### • **Third Reading And Passage**

“I move that House Bill 100 be taken from its place in the Orders of the Day, read for the third time by title only, and placed upon its passage.” This motion, usually made by the majority floor leader, opens the floor for debate. Following debate and amendments, a final vote on the bill is taken. To pass, a bill must be approved by at least two-fifths of the members of the chamber (40 representatives or 16 senators) and a majority of the members present and voting. If the bill contains an appropriation or an emergency clause, it must be approved by a

majority of the members elected to each chamber (51 representatives and 20 senators). During sessions in odd-numbered years, legislation that appropriates funds or raises revenue requires a three-fifths majority to pass (60 representatives and 24 senators). Proposed constitutional amendments also require a three-fifths majority to pass.

- **What Happens Next?**

If a bill is defeated, that is the end of it unless two members who voted against it request it be reconsidered and the request is approved by majority vote. If a bill passes one chamber, it is sent to the other chamber, where it follows much the same procedure. Both chambers must agree on the final form of each bill. If either chamber fails to concur in amendments made by the other, the differences must be reconciled by a conference committee of senators and representatives. Compromises agreed to by this conference committee must be approved by both chambers.

- **Enrollment**

After passage by both chambers, a bill is presented for signature by the enrollment committee. The bill is signed by the presiding officer of each chamber and sent to the governor (or to the secretary of state if a constitutional amendment).

- **Governor's Action**

The governor may sign a bill, permit it to become law without signing it, or veto it. A veto may be overridden by a majority of the elected members of both chambers. Kentucky's governor must veto a bill in its entirety, except for an appropriations bill, for

which the governor has line-item veto authority. The governor has 10 days (excluding Sundays) to act on a bill after it has been received.

## • **Becoming Law**

The constitution specifies that an act becomes law 90 days after the General Assembly adjourns, unless the act contains a delayed effective date or an emergency clause. In the latter case, the act must be approved by a constitutional majority (half of the members elected, plus one) and becomes effective immediately upon its approval by the governor. The fastest a bill can pass through both chambers of the General Assembly and receive the required three readings in both chambers is five days. Most bills take longer to complete the process, however.

## **Bill Status**

During a session, citizens can call the toll-free bill status line for legislative updates. The telephone number is posted on the LRC website during sessions and is also published across the state by the media.

## **Resolutions And Citations**

In addition to bills, the General Assembly may express itself in resolutions or in citations.

Simple resolutions require action by only one chamber and do not carry the force of law. They most often are used to express the sense of the chamber on a particular matter. Frequently, at the end of a day, the Senate or House will pass a simple resolution to adjourn in honor or memory of an individual or group.

Concurrent resolutions adopted by both chambers generally are used to mandate specific legislative studies and to send messages to other branches of government. They also do not have the force of law.

A joint resolution is used to ratify amendments to the US constitution, to direct

an executive-branch agency to conduct a study, or to approve other matters of temporary law not meant to be inserted in the statutes, such as naming roads and bridges. Joint resolutions have the force of law and must pass both chambers, be signed by the officers of each chamber, be sent to the governor, and be filed with the secretary of state.

Legislative citations can be presented by either chamber to recognize an individual or group. Because citations are honorary, they generally are not to be used for procedural, controversial, or partisan political matters.

## Legislative Research Commission

The Legislative Research Commission was created in 1948 as a nonpartisan fact-finding and service agency. Under Chapter 7 of the Kentucky Revised Statutes, the Commission operates as the administrative and research arm of the General Assembly.




February 16, 1838, the General Assembly created the state's first system of free public education.

The Commission also directs the business of the legislature between sessions of the General Assembly.

The Legislative Research Commission is a 16-member statutory committee made up of the majority and minority party leadership of the Senate and the House of Representatives. The President of the Senate and the Speaker of the House serve as co-chairs of LRC. The Commission employs a director who serves at its pleasure. The LRC director supervises the nonpartisan staff of the Commission and the General Assembly.

The term “Legislative Research Commission” typically also is used to refer to legislative staff, which comprises two units: a larger nonpartisan staff and a smaller partisan staff. The nonpartisan professional support staff is hired by the LRC director and serves all 138 members of the legislature. Partisan staff serves the legislative leadership of either chamber and serves at their pleasure.



LRC was created in 1948 by the General Assembly.

The structural work of the Legislative Research Commission is performed by committees. Outside of standing committees during a legislative session, there are three types of LRC committees, which are also considered to be subcommittees of the Legislative Research Commission: interim joint committees, statutory committees, and special committees/task forces. These committees are staffed by LRC nonpartisan professional staff.


# Interim Joint Committees

Interim joint committees are an important part of the legislative process. Many consider the establishment of the interim joint committee system as a major reason that the legislative branch has achieved co-equal status with the other branches of Kentucky state government.

The period between legislative sessions is called the “interim,” and a great deal of legislative business continues at this time. During the interim, the individual Senate and House standing committees that were organized during the session meet together as interim joint committees. For example, the Senate Standing Committee on Appropriations and Revenue and the House Standing Committee on Appropriations and Revenue become the Interim Joint Committee on Appropriations and Revenue after a legislative session.

The interim joint committee system enables continued study and in-depth discussion of issues after a legislative session during the period leading to the next session. It lends a degree of continuity to the operation of the Kentucky legislature. An interim joint committee may prepare, review, and “prefile” legislation. Prefiled legislation is introduced on the first day of the next regular session and assists standing committees in becoming active immediately as that session begins.

The legislative interim period has been defined statutorily to begin on June 1 and continue



LRC is the nonpartisan fact-finding and service body of the General Assembly.

through December 1 of each year. Interim joint committee meetings are open to the public. Citizen participation in these meetings is encouraged.

The following is a list of the interim joint committees:

- 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



The President of the Senate and the Speaker of the House serve as co-chairs of LRC.

## Statutory Committees

Statutory committees were established by the General Assembly to perform specific tasks related to oversight of the executive branch of state government.



## **Administrative Regulation Review Subcommittee**

The Administrative Regulation Review Subcommittee reviews regulations proposed by state administrative bodies. After review by the subcommittee, the Legislative Research Commission refers proposed regulations to an appropriate interim joint committee for further review.

## **Capital Planning Advisory Board**

The Capital Planning Advisory Board develops in each biennium a comprehensive statewide six-year capital improvements plan and submits it to the heads of the three branches of government. The plan includes recommendations of projects to be undertaken or continued and recommendations as to priority and means of funding capital projects. The board is composed of 16 members appointed by the three branches of state government.

## **Capital Projects And Bond Oversight Committee**

The Capital Projects and Bond Oversight Committee monitors implementation of capital projects authorized by the General Assembly or by the committee through an interim review process. The committee reviews any cost overruns on authorized projects and receives quarterly reports from those agencies that manage capital projects.



The Commission directs the business of the legislature between sessions of the General Assembly.

The committee also reviews all bonds issued by state agencies and school systems.

## **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.



LRC employs a nonpartisan director to oversee staff.

## **Education Assessment And Accountability Review Subcommittee**

The Education Assessment and Accountability Review Subcommittee reviews administrative regulations and advises 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 Accountability, which was established by the 1990 General Assembly's passage of the Kentucky Education Reform Act.

## **Government Contract Review Committee**

The Government Contract Review Committee reviews proposed state personal service contracts and memoranda of agreement to determine the need for the service, whether the service can be performed by state personnel, and the cost and duration of the contract.

## **Medicaid Oversight And Advisory Committee**

The Medicaid Oversight and Advisory Committee monitors the implementation of Medicaid within the commonwealth, including access to services, utilization of services, quality of services, and cost containment.

## **Program Review And Investigations Committee**

The Program Review and Investigations Committee reviews the operations of state agencies to determine that funds are being spent appropriately and whether state programs are implemented effectively by the executive branch. The operations, practices, and duties of state agencies are studied as they relate to efficiency in the utilization of space, personnel, equipment, and facilities. The committee reports its findings to the state agency involved and to the General Assembly.



Partisan staff serve the legislative leadership of either chamber and serve at their pleasure.

## **Public Pension Oversight Board**

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 Kentucky Retirement Systems. Kentucky Retirement Systems

encompasses the Kentucky Employees Retirement System, the County Employees Retirement System, and the State Police Retirement System.

## **Tobacco Settlement Agreement Fund Oversight Committee**

The Tobacco Settlement Agreement Fund Oversight Committee reviews each project being submitted to the Agricultural Development Board for funding from the Tobacco Settlement Fund.

## **Special Committees/Task Forces**

When necessary, the Legislative Research Commission or the General Assembly authorizes special committees or task forces to study a specific topic and report their findings, usually by a specified date during the interim, to LRC or to the General Assembly. As such, these committees are temporary in nature. After the study has been completed and reported, the special committee or task force ceases to exist.

## **LRC Nonpartisan Professional Support Staff**

LRC employs a nonpartisan director who oversees a nonpartisan professional staff of bill drafters; committee administrators, analysts, and assistants; researchers; fiscal analysts; attorneys;



Nonpartisan staff serve the entire legislature and report to the LRC director.

economists; librarians; secretaries; computer technicians; and other trained specialists who provide a multitude of services for the General Assembly.

The LRC nonpartisan staff also print bills, research reports, and informational bulletins in its print shop; maintain official legislative records and provide research materials in its Legislative Reference Library; dispense information to the media and the public about the activities of the General Assembly and its members through its Public Information Office; and maintain a website for public access to the General Assembly.

## **Functions Of The LRC Nonpartisan Committee Staff**

Major responsibilities of the LRC committee staff are bill drafting, research, and committee meeting facilitation.

### **Bill Drafting**

Nonpartisan LRC staff draft legislation at the request of any legislator. Bill draft requests are assigned to a member of the staff of the standing or interim joint committee that has jurisdiction over the subject matter of the request. Staff draft legislation both during legislative sessions for consideration in that session and during the interim periods between regular sessions for introduction at the next session.

## Research

A major responsibility of LRC is to research issues confronting lawmakers. These research tasks and projects can encompass any state program or policy and are completed by nonpartisan LRC staff at the request of the General Assembly, the Legislative Research Commission, an LRC subcommittee, or an individual legislator. Any resulting research reports and research memoranda are made available to the public at little or no cost. Research publications are among the holdings of the LRC Legislative Reference Library and also are available on the LRC website.



The “interim” is the time between regular sessions of the General Assembly.

## Committee Meeting Facilitation

There are four types of committees. Senate and House standing committees are creatures of the General Assembly and exist only during legislative sessions. Interim joint committees, statutory committees, and special committees/task forces are considered subcommittees of the Legislative Research Commission. LRC nonpartisan staff are assigned to and facilitate meetings for all of these types of committees. Meeting facilitation includes scheduling meetings and coordinating agendas in consultation with committee chairs, arranging testimony from witnesses, preparing background materials for use by committee members, and preparing and distributing committee reports and minutes.

## Budget Review

LRC is directed by statute to study and examine the expenditures of state agencies. For this purpose, the Commission has a budget review staff that examines agency budgets, conducts fiscal studies, and provides data required for effective legislative review of budget proposals. During sessions of the General Assembly, budget review staff prepare fiscal notes on the cost implications of pending legislation. The principal function of this staff is to work with the Appropriations and Revenue Committees in formulating the state budget.

## Office Of Education Accountability

The legislature established the Office of Education Accountability (OEA) in 1990 as part of the Kentucky Education Reform Act. OEA is under the jurisdiction of the Legislative Research Commission with oversight by its Education Assessment and Accountability Review Subcommittee (EAARS). OEA is required to ensure that public schools operate efficiently and effectively. OEA also monitors the implementation of education reform throughout the state and reviews the state's system of school finance. OEA conducts studies relating to public education as directed by EAARS.



March 16, 1920, the General Assembly created the Department of State Roads and Highways.

# LRC Services

## Legislative Reference Library

The Peggy King Legislative Reference Library provides materials that support the research activities of LRC. The library is located in the Capitol Annex and is open to the public.

## Informational Publications

LRC and its staff prepare a number of informational publications as part of the legislative process. These publications also are available to help citizens learn

about and participate more effectively in their state government. For more information about topics and how to get copies, visit the LRC website and select LRC Publications.

Some of the informational publications prepared and distributed by LRC are listed below.

- The *Legislative Record* shows the daily status of all bills and resolutions when the General Assembly is in session. Final executive action on each bill also is recorded. Between sessions, the *Interim Legislative Record* is published monthly and provides information about the Commission and interim committees.



February 6, 1904, the General Assembly approved the construction of a new capitol building. It was dedicated in 1910 and is the current Capitol.



- The *Kentucky General Assembly Directory* is published before each session and has a picture and a brief biography of each legislator.
- *Kentucky Acts* contains all bills enacted during a session.
- The *House Journal* and the *Senate Journal* are the official daily records of proceedings in each chamber during a session.
- *General Assembly Action* contains summaries of all bills and resolutions delivered to the governor each session.
- *Administrative Register of Kentucky* is a monthly compilation of regulations proposed by administrative agencies of the commonwealth and serves as public notice of such proposed regulations.
- *Kentucky Administrative Regulations Service* is published annually and contains regulations enacted by administrative agencies.
- *Final Reports of the Interim Joint, Statutory, and Special Committees* provides a summary of the proposals discussed and acted upon by each committee during the interim.



March 15, 1894, married women in Kentucky obtained the right to hold real and personal property in their own name after they were married.

## Educational Materials

LRC provides school students and teachers with materials that can help them better understand the legislative process. Teachers also can arrange to bring their classes to visit the Capitol. Contact the Public Information Office for more information.

## On The Web

The LRC website—[legislature.ky.gov](http://legislature.ky.gov)—contains information on members, committees and committee meeting schedules, the legislative process, contacting legislators, bill status, and available publications.

## Contacting Legislators

### Letters

Receiving letters from constituents is an effective way for legislators to learn the support of or opposition to issues. It is helpful for letters to specifically identify the bill supported or opposed. A letter should discuss only one issue, if possible. The name and mailing address of the letter writer should be included. The names and mailing addresses of legislators are available on the LRC website.



January 1936, Charles W. Anderson, Jr. of Louisville became the first African American to serve in the House of Representatives.

## Telephone

A legislator's office may be contacted any time during normal business hours by calling LRC at 502-564-8100.

People with hearing or speech impairments may use the toll-free Kentucky Relay Service by calling 711.



February 7, 1912, the General Assembly approved the construction of a "Governor's Mansion."

LRC sets up toll-free telephone numbers for citizens to leave a message for legislators and to find meeting schedules. During legislative sessions, additional toll-free numbers are available to determine the status of a bill or to access a Spanish-language operator. These numbers are posted on the LRC website and are publicized across the state by the media.

## Email

All legislators have email addresses that can be accessed on the LRC website.

## Planning A Visit

Legislative leadership offices are on the third floor of the Capitol near the chambers in which they serve. All legislators have offices in the Capitol Annex.

Visitors are welcome at the Capitol any time. Legislators are very busy, and it is a good idea to let them know in advance about a planned visit to Frankfort. If visiting without advance notice, leave

a message for them at the office of the House clerk, Senate clerk, or the legislative offices in the Capitol Annex.

To keep informed about legislation of interest during a session, copies of the bills are available for a nominal charge in the Public Bill Room in the Capitol basement or for free on the LRC website.

The schedule of committee meetings is posted on the website and on bulletin boards throughout the Capitol and the Capitol Annex. The number of observers at committee meetings is limited only by rules of the state fire marshal.

## **Protocol**

A few other rules should be observed when visiting the General Assembly:

- There should be no applause or loud talking in the chamber galleries or in committee rooms.
- Please do not take food or drinks into the galleries or when touring the building. There is a cafeteria and a snack shop in the Capitol Annex.
- No posters, banners, or signs are allowed in the committee rooms or hallways of the Capitol or the Capitol Annex.
- No visitors are permitted on the floor when the Senate and House of Representatives are in session, except by special invitation from a legislator.
- Smoking is prohibited in all areas of the Capitol and the Capitol Annex.

## Information Desks

An information desk is located on the first floor at the main entrance of the Capitol. Guides conduct tours that offer a historical perspective of the building and familiarize visitors with current activity. During sessions, information desks also are located on the third floor of the Capitol.

## Handicap Access

The Capitol and Capitol Annex are handicap accessible; however, the chamber galleries are not. Accommodations can be made for those visitors who cannot manage the steps to the chamber galleries. Please let the staff of the President of the Senate or the Speaker of the House know if special accommodations are needed.

## Legislative Glossary

**Absence, Excused** — not present, with consent of 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 present and voting

**Adjournment, Sine Die** — adjournment without a day; this action 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** — an 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 be made in a bill, motion, or clause thereof, by adding, substituting, or deleting

**Bicameral** — a legislature composed of two chambers

**Bill** — a written proposal for creation, modification, or repeal of statute law

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

**Chamber** — a legislative, judicial, or deliberative assembly

**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, 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, the committee substitute is 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 modifications 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 or 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 one day in advance of an attempt to take a bill or resolution from a 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 begins to function as a part of the law; in Kentucky, most legislation becomes effective 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 sine die 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** — to delete certain portions of the official record of a legislative body

**File** — a collection of documents belonging in the same or 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

**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 the 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; in Kentucky, such bills are 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 remarks made in speech or debate on the floor

**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 (KRS)** — 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

**Legislative Analyst** — a staff person engaged to determine the effects of legislation and to assist a committee in its deliberations

**Legislator** — a member of the legislature

**Legislature** — a deliberative, representative assembly formed by constitution to enact change 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 who is designated to act for the party during the 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

**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

**Minority Whip** — a member affiliated with the minority party who is designated to assist the floor leader during proceedings on the floor

**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 officials prior to being seated and taking up their official duties

**Ombudsman** — an official, usually appointed, charged with the duty of 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 committee, usually legislative, created to maintain a review of some aspect or operation of government, usually related to the executive branch

**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

**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



**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 of 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** — motions to which a special status is applied whereby such take 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 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 an opinion or recommendations

**Rescind** — to annul or undo an action previously taken

**Resolution, Concurrent** — expression of opinion 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 statutes

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

**Rules** — a code of procedure adopted by each chamber of a legislature to govern its operations

**Ruling of a 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”

**Simple Majority** — a majority of those voting on a question

**Sine Die** — See Adjournment

**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

**Statute** — a written law passed by a legislative body

**Sunset Legislation** — a 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 or another

*The Kentucky Historical Society provided the information for the General Assembly history boxes.*



**Legislative Research Commission**

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