

A Handbook for Gubernatorial Transition in Kentucky

Project Staff

Katie Carney
Joyce Crofts
Judy Fritz
Laura Hendrix
Robert Jenkins
Norman Lawson
Sheila Mason
Ann Marie Miller
Janie Miller
Kris Shera
Leslie Smith
David Thomas
Tom Troth

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Foreword

A smooth, efficient, and orderly transition from one executive branch administration to the next is a hallmark of American democracy. Recognizing that the legislature is institutionally positioned to provide continuity between changing executive branch administrations, staff of the Legislative Research Commission have prepared this publication.

This is the fourth edition of this publication; it was first published in 1991. The intent is to offer a primer to the general public and interested parties on the period between election of the new governor and presentation of the Executive Branch Budget to the General Assembly.

The publication is presented in three sections: transition in general, the role of the governor, and the relationship of the executive branch to the other branches of government. Because of the limited time period between election and submission of the Executive Branch Budget by the newly elected governor, special attention is given to the legislative-executive relationship.

Robert Sherman
Director

Legislative Research Commission
Frankfort, Kentucky
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Introduction

Gubernatorial Transition

The 12-week period between election of a new governor and submission of the Executive Branch Budget to the General Assembly is one of the most interesting and challenging periods of governance in the Commonwealth. The days immediately following the election of a new governor may be anticlimactic for some persons after an intense period of campaigning that may have included hotly contested primary and general elections. Anxiety, apprehension, and public interest have reached peak levels by the end of election day. The election results are in; the electorate has spoken; and a new governor is elected. The excitement and hype of the event begin to wane for most persons, but for some this lull is brief. Renewed interest and focus quickly shift to the transition period during which a governor-elect prepares to assume the responsibilities of administering state government.

The National Governors Association, in its publication *Transition and the New Governor: A Planning Guide*, refers to two transition periods. The early transition period runs from election day to inauguration day. A broader transition period runs from election day to a time beyond when the budget and other critical decisions are in place. Only five weeks separate the campaigning by candidates to win election as governor from the taking of the oath of office by the winning candidate as governor of the Commonwealth of Kentucky. Within this time, an individual is transformed from candidate-politician to leader-statesman who is accountable to more than 4 million citizens for the management and direction of the executive branch of Kentucky state government. Staff must be hired; appointments made; and relationships built with the legislature, the judiciary, and the media. Within seven weeks after inauguration, the governor must address the General Assembly on the State of the Commonwealth and submit a two-year balanced budget for consideration. This is a critical period for establishing an administration, setting priorities, and developing a policy agenda. Careful planning is essential.

This publication is designed to give the general public and interested parties an overview of the major activities and expectations of the office during the transition. It also provides a description of the powers and duties of the governor, the balance of power between the three branches of government, the relationship of the Office of the Governor with the judiciary and the legislature, and some of the resources available to the governor. Although it is hoped this publication will be useful to the governor-elect and his or her transition team, it is not meant to be a compendium of the process of transition for the incoming administration. That guidance is provided internally by the Governor's Office for Policy and Management (GOPM), which is staffed by career state government employees. GOPM staff, working with the staff of other executive branch cabinets, prepare policy briefing documents for the incoming governor and work with both the outgoing and incoming administrations to assist with the transition. They facilitate changing of the locks on office doors, establishing computer e-mail accounts, ordering stationery, arranging parking, and hiring personnel, among other nuts-and-bolts activities.

National organizations provide information and assistance in managing the transition process. Foremost among these is the National Governors Association (NGA) that provides year-round

assistance to governors through publications, mentoring, seminars, and individual consultation. NGA's Office of Management Consulting and Training publishes documents to assist new administrations. *Transition and the New Governor: A Planning Guide* provides detail about planning and managing an effective transition into office. NGA's series of "Governors Office Operation Guides" offers an overview of each function of the governor's staff, while its *Many Roles of the Chief of Staff* offers insight into the role of this critical staff function. In even-numbered years, NGA also sponsors the "Seminar for New Governors," where currently serving governors lend advice and assistance to newly elected governors. Other organizations that provide transition planning and assistance are noted in Chapter 4.

Chapter 1

Major Transition Events

Four major events define the transition period for a new governor: election, inauguration, presentation of the State of the Commonwealth message, and submission of the biennial budget to the General Assembly.

Election—November 6, 2007

The election for governor of the Commonwealth of Kentucky is held on the first Tuesday after the first Monday in November (Section 95 of the Constitution of Kentucky).

Transition planning and preparation for the inauguration begin in earnest in the week following the election. The governor-elect usually appoints a transition coordinator to manage the governmental aspects of transition and also establishes or approves the establishment of an inaugural committee to manage the multiple affairs surrounding the inaugural event. In addition, the governor-elect should designate who, if anyone, can speak in his or her absence and should establish ground rules for scheduling commitments. Beyond this, the governor-elect should have little direct involvement in winding down the campaign, planning inaugural events, or managing the daily tasks of the transition office. Shortly after the election, the governor traditionally takes a family vacation to rest from the campaign and to prepare for the inauguration.

The legislature has enacted laws applicable to the transition process. Appendix A contains a listing of these related statutes. KRS 11.260 provides that funding for the transition be allocated in the biennial budget of the Finance and Administration Cabinet. Unlike transition responsibilities and expenses, however, inaugural activities are neither statutorily mandated nor publicly funded. The inaugural activities are funded by private contributions solicited in a manner similar to campaign fundraising. KRS Chapter 121 stipulates that inaugural committees must register with the Kentucky Registry of Election Finance before any funds are solicited and must report the amount and sources of revenue.

Transition Coordinator

While the governor-elect is on vacation, the transition coordinator establishes a transition team and meets with a person designated by the departing governor to identify office space and to budget for the team. The coordinator puts staff in place as quickly as possible to process the mail, accept applications and recommendations for board and personnel appointments, and handle phone calls and scheduling requests. The coordinator also works with the Governor's Office for Policy and Management in the selection and development of briefing reports on state agencies and programs.

The transition coordinator (or the governor-elect) also establishes transition committees for program and policy areas, provides direction to the committees, facilitates obtaining information

required by the committees, and schedules deadlines for completing committee reports. The members of the committees in the past have included representatives from the executive branch, private sector, other branches of government, and universities. The chair of each transition committee should be selected with care, as the success of the committee often depends upon the leadership skills of its chair. The new administration begins taking its shape from the recommendations of the transition committees, the governor-elect's campaign platform, information from the budget briefings, and discussions with advisors.

One of the first areas to be addressed in the transition process is determining the structure of the Governor's Office and the process for key staff recruitment. A screening process should be developed for candidates for top-level positions. News clippings and executive orders from past administrations are reviewed for a historical perspective of transition. Background checks and credit reports are increasingly being used. Because of the transition time frame, several key appointments require the immediate attention of the governor-elect (National Governors Association. *Transition and the New Governor* 51- 56). Perhaps the most critical of these appointments are selection of a chief-of-staff and secretary of the Governor's Cabinet. Delay in making these two appointments would likely burden the governor-elect with scheduling and other administrative matters that are best left delegated to others.

Upon returning from vacation, the governor-elect faces three critical tasks: selection of key staff, familiarization with the major budget and program issues, and preparation of the inaugural address.

Inauguration—December 11, 2007

The inauguration is held on the fifth Tuesday after election (Section 73 of the Constitution of Kentucky).

Gubernatorial inauguration represents both the legal and ceremonial beginning of a new governor's term. The oath of office is the only activity required by law for inauguration. Many governors and lieutenant governors have taken their oaths of office in private ceremonies shortly after midnight on the fifth Tuesday after their election and repeated their oaths later that day at the public ceremony. Judicial officers, traditionally members of the Supreme Court of Kentucky, are selected by the governor-elect and lieutenant governor-elect to administer the oaths of office.

The ceremonial events surrounding gubernatorial inaugurations in Kentucky are rooted in both tradition and fiat. Since 1792, when Isaac Shelby became the first Governor of the Commonwealth, inauguration day has been a day of public celebration. Although completion of the oath of office is now acknowledged by a 21-gun military salute rather than the hail of gunfire by frontiersmen, and the inaugural parade now features more automobiles than horses, many of the traditions begun by Governor Shelby and his early successors are carried on to this day.

One of the longest-standing inaugural traditions has been the welcoming of the new governor and spouse to the Executive Mansion by a delegation of Frankfort residents bearing country ham, beaten biscuits, and white cake. This tradition, followed for at least the past 100 years, is said to

have started when an outgoing first lady left a baked ham, cake, and a platter of beaten biscuits on the dining table for the incoming first lady. The Frankfort delegation, considered the hosts of the inauguration, also sponsors a postinaugural public reception for the governor and lieutenant governor.

The inauguration committees are traditionally organized by function and include the worship service, the parade, the swearing-in ceremony and platform arrangements, a reception for the first family, the ball and grand march, a hospitality tent, decorations, credentials, press and publicity, programs, invitations, parking, traffic control, sales of commemorative items, arrangements for special guests, entertainment, food, and the coordination of volunteers.

Numerous other organizations and individuals are at the governor-elect's call to ensure a successful and enjoyable inauguration day. Frankfort municipal officials and state government staff handle most of the groundwork for the inauguration, including providing parking and shuttle bus services, building the inaugural platform, setting up public viewing and outdoor seating areas, and installing public address systems. Volunteers greet visitors and assist in all of the day's events. Ultimately, however, it is the responsibility of the inauguration chair, appointed by the governor, to coordinate all inaugural events. The appropriate organizations and individuals must be invited to participate, protocol must be upheld regarding the participation of other elected officials, and the various postelection festivities—both public and private—must be scheduled and managed. Most importantly, the inaugural coordinator must help the governor to balance the expectations of individuals and groups seeking to participate in inaugural events with the reality of limited facilities.

Inauguration day begins with the inaugural parade. Tradition dictates that the parade commence at the west end of Main Street and wind through downtown Frankfort, across the Capital Avenue Bridge, and up to the Capitol. The parade includes floats, bands or marchers from the home counties of the incoming governor and lieutenant governor, horse-drawn carriages, participation by military units from Fort Knox, and flybys of Kentucky Air National Guard aircraft. By tradition, the mayor of Frankfort and the Franklin county judge/executive deliver welcoming remarks at the public inaugural ceremony. The new governor presents his or her inaugural address, which sets the tone of the new administration and highlights the governor's vision for the future (National Governors Association. *Transition and the New Governor* 93).

State of the Commonwealth Address

By tradition, the new governor presents the State of the Commonwealth speech to a joint session of the General Assembly on the first Thursday of the regular session. Each chamber passes a simple resolution to "wait upon the Governor" and at 7 p.m. receives the governor's message in joint session in the House of Representatives' chamber. A bipartisan group of House and Senate members appointed by the speaker of the House of Representatives and the president of the Senate, respectively, escorts the governor to the podium for presentation.

The State of the Commonwealth address details priorities, programs, and policies for the first legislative session of the new administration. It is a vehicle to let the agencies, interest groups,

and the public know the governor's priorities in legislation and programs during his or her first two years in office (National Governors Association. *Transition and the New Governor* 93). The State of the Commonwealth speech also represents the formal beginning of the governor's working relationship with the legislature. Prior to the public presentation, most governors have sought the counsel of legislative leaders and have, to varying degrees, solicited input from members at large through informal gatherings and receptions.

Budget Submission and State of the Budget Address

Pursuant to KRS 48.100(1), the governor is required to submit a two-year Executive Branch Budget recommendation to the General Assembly on or before the 10th legislative day of the regular session, held in even-numbered years. The law gives an additional five legislative days to newly elected governors in their first year in office. The executive budget represents the implementation of the governor's vision and leadership and will most likely define the first half of the governor's administration.

While submission of the budget is constitutionally defined, the presentation of the State of the Budget address is governed by tradition. Each chamber passes a simple resolution directing appointment of a committee to wait upon the governor to receive his or her budget address on the evening the budget is due. The address is usually given at 7 p.m. in the House of Representatives' chamber before a joint session of the General Assembly. The governor's budget message provides an opportunity to garner public support for the governor's program initiatives and to defend his or her budgetary priorities (National Governors Association. *Transition and the New Governor* 93).

Legislative Liaison

The position of legislative liaison is an important key to the governor's relationship with the General Assembly. Credibility is a necessity, in that the legislative liaison speaks and acts for the governor, and the liaison's word must be accurate and able to be held in trust. The person in this position needs a knowledge of state government and a working understanding of the legislative process.

In addition to working with legislators, this office works with state agencies on proposed or pending legislation relating to programs under their management. Other entities will also approach the Governor's Office for support in legislative matters, and the liaison will be involved with those requests.

The legislative sessions can be monitored in the governor's office through KET closed-circuit television coverage. Tracking bills and resolutions through the process can be accomplished by following the *Legislative Record* as well as through the Legislative Research Commission Web site at <lrc.ky.gov>. Keeping the administration informed as to the status of the approximately 1,400 bills and resolutions typically introduced during a legislative session, along with amendments and committee meetings, will require the efforts of several people. These individuals are usually from state agencies, are familiar with executive programs, and are

familiar with the legislative process. It is important that all have credibility and maintain close contact with the legislative liaison.

The governor will also receive considerable correspondence from citizens and interested groups regarding pending legislation. It is the responsibility of the legislative liaison's office to process that correspondence.

The legislative liaison also works with the scheduling office to arrange for meetings between the governor and legislators, arrange ceremonial bill signings, and notify members of the General Assembly when the governor will be visiting his or her district or making an announcement having a direct effect on the district. During legislative sessions, the governor typically has a fairly flexible scheduling arrangement for legislators, in order to be as accessible as possible.

Chapter 2

Role of the Governor

Overview

The office of governor was unknown in common law but was created by state constitutions. Thus, the governor of the Commonwealth of Kentucky possesses only those powers granted by the Constitution of Kentucky and the powers granted by the Kentucky General Assembly through enactment of legislation. Although Section 69 of the Constitution of Kentucky provides that “the supreme executive power of the Commonwealth” is vested in the governor, it is important to note that the executive powers granted the governor by the Constitution of Kentucky are limited by provisions in the Constitution for five other executive officers to be elected independently of the governor—the attorney general, secretary of state, state treasurer, auditor of public accounts, and commissioner of agriculture.

The governor of the Commonwealth of Kentucky, as the chief executive officer of state government, exercises day-to-day management of the executive branch of state government. Duties of the governor include administering the executive budget; managing a work force of more than 37,000 full-time executive branch employees; issuing executive orders; making appointments to certain executive branch positions, boards, and commissions; representing the Commonwealth at various events; and signing numerous government documents.

In addition to directing the operations of the executive branch of state government, the governor works as partner with the leaders of the legislative and judicial branches. The partnership with the legislative branch is particularly critical since the General Assembly enacts the executive budget and statutes affecting state government. The governor shapes public policy through the Executive Branch Budget, legislation proposed to the General Assembly, and administrative regulations.

As head of state, the governor represents the people of Kentucky at numerous meetings, conferences, parades, festivals, and other events; and offers and receives gifts, commendations, and greetings on behalf of Kentuckians. The governor also represents Kentucky before Congress, on international trips, in negotiations for interstate agreements and compacts, and in legal disputes as plaintiff or defendant. Opportunities for a leadership role in regional and national issues lie in the associations to which the governor belongs.

The governor’s actions are conducted and policies established in compliance with the Executive Branch Code of Ethics. The governor must conduct the business of state government in a way that promotes public trust and confidence in the integrity of the Office of the Governor.

Constitutional Powers

The powers granted to the governor under the Constitution of Kentucky can be divided into three categories: administrative, judicial, and legislative.

Administrative Powers

The Constitution vests the “supreme executive power of the Commonwealth” in the governor (Section 69) and requires the governor to “take care that the laws be faithfully executed” (Section 81). These two sections make it clear that the governor is the chief executive of state government and that the powers of the governor are broad and general. The governor is authorized to require information from officers of the executive branch upon any subject relating to the duties of their offices (Section 78). The governor is designated “commander-in-chief” of the army, navy, and militia of the Commonwealth (Section 75). The governor is also empowered to fill vacancies in public offices except as otherwise provided in the Constitution (Section 76).

Judicial Powers

Under Section 77 of the Kentucky Constitution, the governor is authorized to “remit fines and forfeitures, commute sentences, grant reprieves and pardons, except in case of impeachment.” In case of treason, the governor may “grant reprieves until the end of the next session of the General Assembly,” but the governor has no power to remit the fees of the clerk, sheriff, or Commonwealth’s attorney in penal or criminal cases (Section 77).

Legislative Powers

The Constitution gives the governor 10 days to veto or sign any bill that has passed both chambers of the General Assembly. A vetoed bill is returned to the General Assembly with written objections contained in a veto message setting forth the reasons and grounds for the governor’s opposition. The General Assembly may override a veto if the bill passes a second time with a majority vote of the members elected to each chamber. It then becomes law without the signature of the governor. If the governor neither signs nor vetoes a bill within 10 days, it becomes law 90 days after final adjournment of the General Assembly, unless a special effective date is included in the bill. In the case of appropriations bills, which are those bills that budget state funds to the various state agencies, the governor may exercise the line-item veto on specific lines and items rather than the entire bill. These vetoed items do not become law unless overridden by the General Assembly (Section 88). The signature of the governor is not required for the General Assembly to adjourn (Section 89), for a state constitutional amendment to pass (Section 256), or for a tax referendum to become effective (Section 171).

The Constitution directs the governor to report from time to time to the General Assembly on the “State of the Commonwealth” and recommend for its consideration those measures that the governor “may deem expedient” (Section 79). The governor is authorized to convene the General Assembly on “extraordinary occasions,” usually referred to as special sessions. When the governor does convene the General Assembly, it must be by a proclamation that states the subjects to be considered by the General Assembly. Only the subjects listed in the proclamation

may be considered. If the Senate and the House of Representatives disagree as to the time of adjournment of a special session, the governor may adjourn them to a time he or she thinks is proper; however, the time must not exceed four months (Section 80).

Statutory Powers

The Constitution gives the governor administrative powers to be the chief executive of state government. It bestows on the governor the supreme executive power of the state (Section 69) and requires the governor to see that the laws are faithfully executed (Section 81). But these general provisions do not specify the functions of the governor as the administrative head of state government. It would be impossible for a governor to administer a modern state government with only the vague powers granted by these archaic provisions. The Constitution is silent on the employing of staff, the appointing of department heads, and the fixing of salaries by the governor. It is left to the General Assembly through enactment of statutes to breathe life into the broad provisions of the Constitution pertaining to the governor.

In 1935, the Kentucky Court of Appeals in *Royster v. Brock*, 79 S.W.2d 707 (Ky. 1935), held that the governor has only such powers as the Constitution of Kentucky and statutes authorize, and those powers must be exercised in the manner and within the limitation prescribed in those provisions. One year later, the Kentucky General Assembly enacted the 1936 Reorganization Act, for the first time giving the governor statutory powers to effectively act as administrative head of state government. Among other provisions, this legislation empowered the governor to appoint heads of departments to serve at the pleasure of the governor. It also empowered the governor to authorize a department head to establish additional divisions, divide or combine existing divisions, change the name of a division, or transfer functions and staff from one division to another within a department. This reorganization power gives the governor administrative flexibility.

The administrative powers of the governor authorized by the General Assembly are codified in Chapter 12 of the Kentucky Revised Statutes. They include appointment of heads of departments for terms up to four years, appointment of deputy heads of departments and directors of divisions and institutions, appointment to administrative boards and commissions, establishment of general rules of conduct for administrative departments, resolution of conflicts between agencies, and appointment of advisory or study committees on reorganization.

Executive Orders

An executive order is a written declaration or directive issued by the governor. It has the force of law and is usually based on existing statutory powers. It becomes effective upon filing with the secretary of state unless a statute prescribes the effective date. Generally, an executive order requires no action by the General Assembly. The governor may issue an executive order to make an appointment, to direct executive branch state agencies to take a certain action, to declare an emergency and direct the Kentucky National Guard to take action, or to call the General Assembly into special session.

Temporary Power To Reorganize the Executive Branch by Executive Order

Governors from time to time will reorganize the structure of the executive branch to streamline government and eliminate wasteful spending (see Appendix B for a history and organization of the executive branch). Courts have held that reorganization of the executive branch of state government is legislative in nature. In 1982, the Supreme Court of Kentucky in *Brown v. Barkley*, 628 S.W.2d 616 (Ky. 1982), stated that “when the General Assembly has placed a function, power or duty in one place there is no authority in the Governor to move it elsewhere unless the General Assembly gives him that authority.” Two years later, in *Legislative Research Commission v. Brown*, 664 S.W.2d 907 (Ky. 1984), the court held that:

Even though the Governor has the supreme executive power of the Commonwealth (Ky. Const. Sec. 69), he cannot transfer the functions of an existing, legislatively-created executive agency or department to another without legislative authority.

The court went on to say that the governor has no inherent power to reorganize and that reorganization is legislative in nature.

Recognizing that changes in state government organizational structure might need to be made during the periods between legislative sessions, the General Assembly has enacted procedures to enable the governor to temporarily change the structure of the executive branch if the plans are first reviewed by a legislative interim joint committee with appropriate jurisdiction. A temporary reorganization is initiated by filing with the Legislative Research Commission (LRC) and the secretary of state an executive order and a reorganization plan describing the impact on the budget and personnel, any improvement of state services, and an explanation of the need for the change. LRC refers the executive order and its accompanying plan to the legislative interim joint committee of appropriate jurisdiction to review the plan and report back to LRC within 60 days. The executive order cannot become effective until it has been reviewed by a legislative committee or the 60-day review period has expired, whichever comes first. If the executive branch intends to make its reorganization continue after the next regular session of the General Assembly, legislation must be introduced in that session to confirm the plan. If the General Assembly fails to enact the plan, the original organizational structure is reinstated 90 days after adjournment of the legislature. The disallowed plan cannot be reinstated prior to another session of the General Assembly (KRS 12.028).

The General Assembly also authorized the other elected state executive officers—attorney general, secretary of state, auditor of public accounts, state treasurer, commissioner of agriculture—and the Kentucky Economic Development Partnership (KEDP) to temporarily change the structure of an entity that the officer or KEDP heads, subject to the same procedures as the governor. The governor is prohibited from reorganizing a governmental body headed by an elected state executive officer or KEDP unless that officer has made a request in writing (KRS 12.028).

Appointing Authority

As chief executive officer of the executive branch, the governor is responsible for a large volume of appointments. There are many executive branch policy makers whom the governor, under statutory authority, must either appoint or approve (see Appendix C). In addition, there are more than 400 boards and commissions to which the governor must appoint members. The Governor's Office compiles and prints the *Boards & Commissions Directory*.

Some appointments are subject to confirmation by the Senate or by both the Senate and the House of Representatives (see Appendix D). There are statutory procedures and time tables for the governor, or other appointing authority, to follow in submitting names of appointees and certain information about them to the General Assembly (KRS 11.160). Procedures for the General Assembly to follow are also in the same statute.

Some appointments are subject to nominating requirements established by the specific statute governing an appointment. For example, other people and organizations may be required to submit names of nominees to the governor, or there may be specific statutory qualifications for the position.

Another statute, KRS 12.070, calls for appointments to boards and commissions to include a diversity of interests and points of view. If minority groups are underrepresented on a particular board when a vacancy occurs, the governor may appoint a minority group member, even if a statutorily prescribed list of nominees contains no one from a minority group.

Authority of the Governor's Signature

The governor's signature carries the legal authority and prestige of the office. The Constitution of Kentucky and enacted statutes require the governor to sign more than 120 types of documents (see Appendix E). These cover a wide range of authorities from interstate compacts to setting prisoner execution dates.

In addition, the governor is requested to sign many awards, certificates, proclamations, and letters. One of the most requested awards is that of Kentucky Colonel. The governor of Kentucky serves as the commander-in-chief of the Honorable Order of Kentucky Colonels, which is not a state agency but a private, nonprofit organization. However, each member is commissioned as a Kentucky Colonel by the governor or lieutenant governor.

Regional, National, and International Roles of the Governor

The roles of a governor outside state boundaries have changed dramatically over the years. Federally funded programs make up a significant portion of state budgets. Federal mandates in regulatory programs have created additional responsibilities and costs. Since the September 11, 2001, terrorist attacks on the United States, governors have been shouldered with responsibility

for helping to maintain national security. Governors consequently have become more unified and more vocal in influencing national policies.

With a greater emphasis on international free trade, states now compete internationally for markets and economic investment. As a result, a governor must travel beyond the nation's borders to recruit businesses and industries and to assist in developing markets for the state's products. Kentucky has offices in Brussels, Belgium; Guadalajara, Mexico; Tokyo, Japan; and Santiago, Chile, to promote its interests abroad.

Many of the problems states face have a regional or national basis. Consequently, governors have found that more can be achieved by working together on mutual problems. The associations to which the governor belongs can provide opportunities to address these issues through developing alliances with other governors. These associations also foster a broad perspective on issues and encourage the sharing of ideas.

The major associations of interest to Kentucky governors are listed below.

- National Governors Association
- Southern Governors' Association
- Midwest Governors' Conference
- Southern Regional Education Board
- Southern States Energy Board
- Council of State Governments
- Appalachian Regional Commission

Executive Branch Code of Ethics Guidelines for the Governor, State Employees

The governor's actions and policies are conducted under the principles and guidelines set forth in the Executive Branch Code of Ethics (KRS Chapter 11A). These principles recognize that public office is a public trust. Proper operation of a democratic government demands that public servants conduct the business of government in a way that promotes public trust and confidence in the integrity of government and the people who implement it. The standards of conduct in the code require that a public servant be independent and impartial, that decisions be made through the established processes of government, and that public office not be used to obtain private benefits. The specific guidelines generally address conflicts of interest between a public servant's public duty and private interest.

The Executive Branch Code of Ethics, originally enacted by the 1992 General Assembly, establishes guidelines for state officers and employees in the executive branch and creates the Executive Branch Ethics Commission to implement the code. The code covers the governor and the other statewide elected officials, all employees in the executive branch, and executive agency lobbyists. However, only the statewide elected officials, certain major management personnel (including officers of named boards and commissions), and candidates for statewide elected office are required to file annual financial disclosure statements showing the sources but not dollar amounts of their income and certain business interests.

The Executive Branch Ethics Commission is composed of five members appointed by the governor. The commission is charged with administration of the code and with such other duties as

- investigating alleged violations upon receipt of a complaint signed under penalty of perjury or upon an approved motion of the commission itself;
- issuing advisory opinions;
- providing ethics training programs;
- receiving and auditing the financial disclosure statements filed by certain public servants;
- receiving and auditing the registration, expenditure, and financial transaction statements filed by executive agency lobbyists, their employers, and real parties in interest; and
- imposing certain administrative and civil penalties not to exceed \$5,000 per violation.

The commission is required to refer evidence of a violation of KRS 11A.040 to the attorney general for criminal prosecution as a Class D felony.

KRS 11A.020 to 11A.040 contain certain requirements and prohibited acts for members of the executive branch. The prohibitions generally focus on any acts that would be a conflict of interest between one's private interests and his or her duties in the public interest or acts that would be a misuse of one's official position in order to obtain financial or other personal gain. For example, executive branch officials and employees are prohibited from disclosing or using confidential information acquired in the course of their official duties to further their own or another person's economic interests; directly or indirectly receiving any personal interest or profit from the use or loan of public funds; or doing business with the agency by which they are employed or which they supervise.

There are also certain postemployment restrictions, which are also known as "revolving door" restrictions. For example, former officers and employees are restricted for six months following termination of state employment from doing business with the agency by which they were employed. They are restricted for six months from accepting employment, compensation, or other economic benefit from any person or business that contracts or does business with the state in matters in which they were directly involved during the last 36 months of tenure. Furthermore, they are restricted for one year from lobbying in matters in which they were directly involved during the last 36 months of tenure. In addition, an officer or employee is prohibited from accepting any gift with a value of \$25 or more from any person or business doing business with or regulated by the state agency for which the officer or employee works. However, a public servant in the Cabinet for Economic Development or any other public servant working directly with the cabinet on an economic incentive package is permitted to accept gifts if the gifts were not solicited, were accepted in the performance of a public servant's official duties and in compliance with established guidelines, and were not accepted under circumstances that would create a violation of KRS Chapter 521.

KRS 11A.201 to 11A.246 set forth the requirements for executive agency lobbyists, their employers, and real parties in interest, including the mandated filing of registration statements, expenditure statements, and statements of financial transactions with, or for the benefit of, an elected executive official, secretary of a cabinet, an executive agency official, or any member of

the staff of any of those officials. An executive agency lobbyist is any person employed or retained primarily to influence executive agency decisions.

Penalties in the code range from fines to Class D felonies, including additional penalties for certain violations such as disqualification to hold future office, forfeiture of employment or office, and withholding of salary until compliance. In addition, there is a four-year time limitation on prosecution for violation of any provision of KRS 11A.040 that prohibits certain acts by public servants.

Chapter 3

The Governor and the Other Branches of Government

Balance of Power

The Constitution of Kentucky provides that state government shall consist of three branches: legislative (Sections 29 to 62), executive (Sections 69 to 108), and judicial (Sections 109 to 124). The powers and duties of each branch are carefully separated from those of the other branches. The constitutional sections that mandate this separation of powers are as follows:

Section 27. The powers of the government of the Commonwealth of Kentucky shall be divided into three distinct departments, and each of them shall be confined to a separate body of magistracy, to wit: Those which are legislative to one; those which are executive, to another; and those which are judicial, to another.

Section 28. No person or collection of persons, being of one of those departments, shall exercise any power properly belonging to either of the others, except in the instances hereinafter expressly directed or permitted.

Sections 27 and 28 have remained unchanged since the adoption of the first Constitution of the Commonwealth in 1792.

A Citizens Guide to the Kentucky Constitution (Legislative Research Commission Research Report No. 137) provides a detailed overview of Kentucky's Constitution and its application to the three branches of state government.

Governor's Power Prior to the Kenton Amendment

For most of the 20th Century, the governor played a dominant role in state government. The General Assembly was restricted to meeting in regular session in even-numbered years, and there was no activity between sessions. This put the legislature in a relatively weak position when compared to a full-time governor with a cadre of executive branch employees. The General Assembly rarely attempted to review or question the actions or proposals of the governor. When meeting in regular session, the legislature allowed the governor to select legislative leadership, which enabled the governor, through loyal supporters, to exercise control over the actions of the General Assembly.

The 1979 Kenton Amendment

During the past 28 years, the governor's relationship with the General Assembly has changed dramatically. The legislature has evolved into an independent, equal branch of government that is fully capable of carrying out its constitutional responsibilities. With passage of the Kenton Amendment in 1979, the Constitution was amended to change legislative elections to even-numbered years, allowing the members to take office a full year before meeting in regular

session. The creation of the interim joint committee system allowed legislative committees to meet between sessions, which enables legislators to be far better prepared to deal with issues confronting them during the next session. In 2000, Kentucky voters approved a constitutional amendment allowing the General Assembly to meet in annual sessions, one of the final steps toward a truly independent legislative branch.

Kentucky Court Decisions

In recent years, several important decisions of Kentucky courts have more clearly defined the separation of power between the governor and the legislative branch and addressed the balance of power among the three branches of government.

The first of this line of cases was *Ex parte Auditor of Public Accounts*, 609 S.W.2d 682 (Ky. 1980). The auditor of public accounts had claimed the right to audit fees collected by the Kentucky Bar Association from its members. The Supreme Court of Kentucky ruled that the auditor had no right to audit those funds. The court said that the Kentucky Bar Association was accountable only to the Supreme Court and that there was no constitutional authority by which it could be made accountable to either of the other two branches of government. The court specifically noted the constitutional provisions applicable to the General Assembly in establishing the duties of executive branch officials such as the auditor. However, the court observed that the legislature must not violate the constitutional principle of separation of powers, as established by Sections 27 and 28, by improperly assigning to the auditor authority that is rightfully within the purview of the judicial branch.

Brown v. Barkley, 628 S.W.2d 616 (Ky. 1982), concerned the authority of the governor to reorganize the Department of Agriculture, which was established by statute but headed by a constitutional, elected officer. The court held that when the General Assembly enacted a statute permitting the governor to reorganize executive agencies, it did not intend for the governor to reorganize departments headed by elected officials.

Legislative Research Commission v. Brown, 664 S.W.2d 907 (Ky. 1984), was the result of action taken by the 1982 General Assembly to expand its authority. The court action centered on the principle of separation of powers, as established by Sections 27 and 28 of the Constitution, and upon whether the Legislative Research Commission, consisting of legislative leaders, could exercise lawmaking power when the General Assembly was not in session. Specific issues included questions of whether certain legislative leaders could appoint members of executive agencies; whether the governor could be required to make certain appointments from a list provided by the legislature; whether LRC could be empowered to approve or reject executive appointments; and whether legislators could serve on boards of executive agencies. The suit also addressed the authority of LRC to veto administrative regulations; to control certain budgeting matters, including budget specifications and restrictions; and to approve certain grant applications. Finally, the action addressed the issue of a 1982 statute that empowered LRC to approve reorganizations made by the governor.

The Supreme Court held that implementation of certain statutory action of the 1982 General Assembly would violate the constitutional principle of separation of powers among the three

branches of government. The unconstitutional statutes empowered LRC—a portion of the legislative membership—to act as the legislature when the General Assembly was not in session.

The court strictly interpreted the separation of powers clauses of Sections 27 and 28 when it specifically noted the constitutional limitation upon the duration of legislative sessions and the requirement that the legislature consist of two chambers. Thus, not only could legislative action not be undertaken when the legislature was not in session, but LRC could not act for the full bicameral legislature when the General Assembly was not in session.

Additionally, the court ruled that to preserve separation of powers, specific legislative leaders could not appoint members of executive agencies, the governor could not be required to make appointments from names submitted by certain members of the General Assembly, and legislators could not serve on boards of executive agencies. The court held that to permit LRC to approve executive appointments or reorganization orders, to veto administrative regulations, or to hold authority to reject certain grant applications would violate constitutional provisions relating to the establishment of a bicameral legislature and the specified time during which the legislature may act.

However, the court also said that the state’s budget is “fundamentally a legislative matter” and upheld statutes permitting the General Assembly to enact a spending reduction plan to provide for a drop in anticipated revenue of less than 5 percent and requiring the governor to report to LRC all plans to modify the budget when anticipated revenue drops more than 5 percent. The court also validated statutes requiring each branch of government to interpret provisions of the budget bill in conformity with the budget memorandum adopted by the General Assembly and directing the executive branch to monitor the state’s financial position and give monthly reports to each branch.

Commonwealth ex rel. Armstrong v. Collins, 709 S.W.2d 437 (Ky. 1986), was the next case that helped clarify the powers of the legislative and executive branches of government. In that case, the Attorney General challenged the General Assembly’s power to suspend or modify statutes through the budget bill and to transfer money from certain state agencies. The court held that the General Assembly had the power to pass a budget bill that suspended or modified existing statutes for the duration of the budget’s effectiveness. The court also said that while the legislature could transfer public funds in the budget, it would be unconstitutional to suspend statutes to transfer money from agencies such as the state’s retirement systems in which public and private funds belonging to state employees were commingled.

The General Assembly faced a monumental challenge when the Supreme Court ruled in *Rose v. Council for Better Education, Inc.*, 790 S.W.2d 186 (Ky. 1989). In *Rose*, the Supreme Court held unconstitutional the entire state system of elementary and secondary education. The court said that the General Assembly has the sole responsibility and absolute duty to establish an efficient system of schools throughout the Commonwealth. According to the court, the *Rose* decision was an “opportunity for the General Assembly to launch the Commonwealth into a new era of educational opportunity which will ensure a strong economic, cultural and political future.”

Responding to that “opportunity,” the General Assembly and the Governor cooperated in naming members to the Task Force on Education Reform in July 1989. This cooperative effort culminated in the passage of the Kentucky Education Reform Act of 1990, a broad restructuring of the curriculum, governing, and financing of the state’s school system.

Democratic Party v. Graham, 976 S.W.2d 423 (Ky. 1998), involved a case in which the General Assembly gave judicial powers to an executive branch agency, namely, the powers to indict or find probable cause. The Supreme Court held that this was impermissible. Similarly, in the case of *Prater v. Commonwealth*, 82 S.W.3d 898 (Ky. 2002), the Supreme Court held that the General Assembly violated the separation of powers principle “by permitting the judiciary to exercise the purely executive function of granting parole.”

While not a Supreme Court decision, another significant opinion was issued in January 2002. *Patton v. Sherman*, Civil Action No. 01-CI-00660 (Franklin Cir. Ct. January 2002), involved the question of whether the General Assembly had exceeded its constitutional authority with regard to the promulgation of administrative regulations by the executive branch. While the court ruled that the de facto “legislative veto” of actions of the executive branch through the promulgation of administrative regulations was unconstitutional, the court did recognize that the authority for the regulatory process emanates from the legislative branch and that the legislature can place reasonable restrictions on the process by which administrative regulations are promulgated.

In *Fletcher v. Commonwealth*, 163 S.W.3d 852 (Ky. 2005), the Supreme Court ruled that the General Assembly, not the governor, has the authority to appropriate and direct the spending of state funds for the operation of state government. Holding that the governor had no authority to create an “executive spending plan,” the court reiterated its holding in *LRC v. Brown* that the passage of a budget is a legislative prerogative.

Overview of the Legislative Process

It is critical that the governor and certain administration officials acquire a good understanding of the overall legislative process. As a session progresses, and time grows short, the legislature moves quickly and often unexpectedly. Understanding legislative procedure is crucial to successfully advancing a legislative agenda.

Introduction and Committee Referral

A bill may be introduced in either the Senate or the House of Representatives. Each bill is assigned a number, read by title and sponsor for the first time, and referred to a standing committee of appropriate jurisdiction by the Committee on Committees.

Committee Consideration

Standing committees of the General Assembly meet weekly during a legislative session and may meet more frequently as the session progresses. Meetings are open to the public, and the committee chairs determine which bills will be considered. When there is sufficient interest in a

subject, a public hearing may be held. A bill may be reported out of committee with one of the following reports: favorably; favorably with amendments; favorably with a committee substitute; unfavorably; or, in the Senate, without opinion. Many bills die in committee without ever being considered.

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. If a committee reports a bill unfavorably or without opinion, the bill is not likely to go further.

Second Reading, to Rules

The bill is taken from the Calendar, read by title for the second time, and sent to the Rules Committee. The Rules Committee has five days to recommit the bill to committee or place it in the Orders of the Day for a specific day.

Third Reading and Consideration

“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, is adopted by voice vote, and the floor is open for debate. Following debate and amendments, if any, 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 house. In odd-year sessions, any bill raising revenue or making an appropriation must be approved by three-fifths vote of both chambers.

What Happens Next

If a bill is defeated, that is the end of it unless two members who voted against it request its reconsideration and a majority approves. If a bill passes in one house, 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 composed of members of the House and Senate.

In conference, only those amendments at issue may be considered. If no agreement is reached, the conferees report back to their respective chambers advising the members that they cannot agree and may request that a free conference committee be appointed. A free conference committee may propose any amendment to the bill at issue, except to propose the insertion of the substantial text of any other bill that has not passed both the House and Senate or to propose the enactment of subject matter not previously considered during the session. Conference and free conference committee reports are subject to approval of both chambers.

Engrossment and Enrollment

After passage by both chambers, a bill is read carefully to ensure the final wording is correct and that all amendments have been accurately inserted into the bill. This process is known as engrossment. Once the final check has been completed, the bill is signed (enrolled) by the presiding officer of each chamber and sent to the governor.

Resolutions

In addition to bills, the General Assembly uses resolutions to conduct some legislative business. There are three types of resolutions:

- Simple resolutions concern the affairs of one chamber and require action by that chamber only. They are used to regulate procedure and to express requests or sentiments of the body. A simple resolution is the appropriate vehicle for confirmation of appointments that require only Senate approval.
- Concurrent resolutions must be approved by both chambers. They deal with legislative organization and are used to transmit messages to other branches of government. Any proposal for a research study to be undertaken by the Legislative Research Commission must be in the form of a concurrent resolution. A concurrent resolution would also be used for the confirmation of appointments that require action by both the Senate and House of Representatives.
- Joint resolutions have the effect of law and are treated in every respect as bills. They are used to ratify amendments to the U.S. Constitution and for matters of temporary legislation that are not to be included as part of the Kentucky Revised Statutes. A joint resolution is the most effective tool for directing agencies to take certain actions such as the naming of roads, bridges, and public buildings.

Working With the Legislature

Communication and coordination with leadership of the House and Senate is essential to the success of the governor's legislative agenda.

Section 73 of the Constitution of Kentucky provides that the governor takes office on the "fifth Tuesday succeeding" his or her election, which is around the second Tuesday in December. Section 36 provides that the legislature convenes a short time later, on the "first Tuesday after the first Monday in January."

Legislative Liaison

In order to facilitate the introduction of the governor's legislative proposals, it is important that the governor designate one or more individuals to serve as liaison between the General Assembly and the Governor's Office. This designation should be made as soon as possible after the governor's election in November (see page 4).

Once selected, the legislative liaison should immediately make contact with leadership of both the House and the Senate to determine how each respective chamber wishes to handle coordination of the introduction of the governor’s legislative proposals.

In past legislative sessions, the majority floor leaders of the House and Senate have alternated as sponsor of the governor’s legislative proposals. However, in recent years, the governor has more often sought out individual members of the General Assembly to sponsor administration bills.

All legislative proposals must be drafted by LRC staff. Since staff can assist only legislators in drafting bills, it is critical that the governor’s legislative liaison secure the agreement of a legislator to sponsor any proposal the governor wishes to be introduced. All requests for bill drafts, whether from the administration or others, must be directed to the LRC deputy director for committee and staff coordination, who logs in all bill requests and assigns them to LRC drafters.

State of the Commonwealth Address

Section 79 of the Constitution of Kentucky requires the governor to “from time to time, give to the General Assembly information of the State of the Commonwealth, and recommend to their consideration such measures” as may be deemed expedient. It is traditional for the governor to present a State of the Commonwealth address during the early days of each regular session. With the advent of annual legislative sessions, the governor now provides a State of the Commonwealth address each January.

Budget Address and Budget Proposal

Pursuant to KRS 48.100 and 48.110, the governor is required to present a budget recommendation to the General Assembly for its consideration. A day or two before the governor’s budget bill is filed, the governor has traditionally addressed the General Assembly concerning the budget proposal.

In the era when the governor dominated the General Assembly, it was not unusual for the governor’s budget to be adopted without changes by the legislature. In recent years, however, the legislative budget review process has become much more sophisticated, and legislators now develop their own budget recommendations. In 1982, the General Assembly enacted KRS Chapter 48, which defines the procedures that the legislative, executive, and judicial branches of government must follow in preparing their budget recommendations for the General Assembly. (For a detailed discussion of the role of the governor in the budget process, see “Budget Process” on page 30.)

Veto Power

In addition to addressing the General Assembly on the State of the Commonwealth and making budget recommendations that reflect the governor’s taxing and spending priorities, the governor also interacts with the legislature through the use of the veto.

The governor has the authority under Section 88 of the Constitution of Kentucky to veto legislation that has been passed by the General Assembly. The governor has 10 days to veto or sign any bill that has passed both chambers of the General Assembly. If a bill is vetoed, it is returned to the chamber in which the legislation originated with written objections contained in a veto message. A veto may be invalidated if not accompanied by a veto message. A House bill is returned to the House, and a Senate bill is returned to the Senate. Vetoed bills do not become law unless overridden by the General Assembly. If the bill passes a second time, with a majority of the members elected to each house voting in favor of it, the bill becomes law without the signature of the governor. In the case of appropriations bills, which are those bills that allocate state funds to the various state entities, the governor may exercise the line-item veto applicable to specific lines and items rather than the entire bill.

The governor is prohibited from vetoing a General Assembly vote to adjourn (Section 89), a state constitutional amendment (Section 256), and a tax referendum (Section 171).

Regular Legislative Sessions

Regular sessions of the General Assembly are limited to 60 legislative days in even-numbered years and to 30 legislative days in odd-numbered years. A “legislative day” is defined as a calendar day, excluding Sundays, legal holidays, and any day on which neither house meets. The Rules of the House and Senate establish the procedures of the General Assembly.

The even-year (60-day) session convenes on the first Tuesday after the first Monday in January and may not continue beyond April 15 of that year. The votes of at least two-fifths of the members elected to each chamber and a majority of the members voting are required for passage of most bills.

The odd-year (30-day) session also convenes on the first Tuesday after the first Monday in January, recesses after an organizational component, and reconvenes on the first Tuesday in February for the remainder of the session. In the organizational component of the odd-year session, members elect legislative leaders, adopt rules of procedure, organize committees, introduce legislation, and may begin conducting any other regular legislative business. The odd-year session must adjourn by March 30 of that year. A key restriction on the General Assembly in the odd-year session is a requirement that any bill raising revenue or appropriating funds must be agreed to by three-fifths of all members elected to each house.

Extraordinary (Special) Sessions

Another area in which the governor has significant authority is the calling of extraordinary (special) sessions of the General Assembly, as provided in Section 80 of the Constitution. If the governor calls an extraordinary session, the subjects to be considered in the session are limited to those subjects stated in the call. No others may be considered by the General Assembly. A bill dealing with a subject outside the call is void, even if it is approved and signed by the governor. However, the governor may amend the original call by adding, but not deleting, subjects to be considered. If the Senate and the House of Representatives disagree as to the time of

adjournment of a special session, the governor may adjourn them to a time he or she thinks is proper; however, the time is not to exceed four months.

Legislative Research Commission

The Legislative Research Commission is established by KRS 7.090 as an independent agency of state government. The Kentucky Supreme Court in the case of *Legislative Research Commission v. Brown*, 664 S.W.2d 907, (Ky. 1984), acknowledged at page 911 the vital role of LRC when it stated that the agency was the “research, fact-finding, secretariat and general support agency for the General Assembly....”

Organization. LRC is composed of the 16 members of leadership in the House and Senate. The speaker of the House of Representatives and the president of the Senate serve as co-chairs. LRC meets on the first Wednesday of each month during the statutory interim period that runs from June to December. Its duties and responsibilities are contained in KRS Chapter 7.

LRC employs a director who serves at the pleasure of the Commission. The director, in turn, employs staff who provide nonpartisan support and administrative services for all the members of the General Assembly. A list of staff and committee assignments is available from the director’s office or on the LRC Web site at <lrc.ky.gov>.

Office of Education Accountability. The Education Reform Act of 1990 created the Office of Education Accountability (OEA), which is under the direction of LRC. The Education Assessment and Accountability Review Subcommittee (EAARS) monitors the actions of OEA and provides direction in fulfilling its statutory mandate. Pursuant to KRS 7.410, OEA is charged with reviewing the public education finance system; verifying the accuracy of school, district, and state performance; investigating allegations of wrongdoing; and conducting studies. OEA makes periodic reports and submits findings to EAARS.

House and Senate Standing Committees

During the legislative sessions, the governor works with the leaders in the Senate and the House to introduce the governor’s proposed budget and legislative package. The committee chairs of the standing committees are important to the legislative process and are routinely contacted regarding the administration’s legislative proposals.

The standing committees are established and their jurisdiction determined by Rules of the House and Senate. These committees consider all legislation referred to them by the Committee on Committees of their respective chambers.

The House standing committees of the 2007 Regular Session are listed below.

- Agriculture and Small Business
- Appropriations and Revenue
- Banking and Insurance
- Economic Development
- Education

- Elections, Constitutional Amendments, and Intergovernmental Affairs
- Health and Welfare
- Judiciary
- Labor and Industry
- Licensing and Occupations
- Local Government
- Natural Resources and Environment
- Seniors, Military Affairs, and Public Safety
- State Government
- Tourism Development and Energy
- Transportation

The Senate standing committees of the 2007 Regular Session are listed below.

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

Interim Joint Committees

During the interim between regular sessions of the General Assembly, the standing committees of the House and Senate combine to form interim joint committees. These interim joint committees are authorized to meet monthly from June 1 to December 1. The committees are authorized to study issues, hold hearings, and consider pre-filed bills during the period of time that the legislature is not in regular session.

The interim joint committees as of October 2007 are listed below.

- Agriculture and Natural Resources
- Appropriations and Revenue
- Banking and Insurance
- Economic Development and Tourism
- Education
- Special Subcommittee on Energy
- Health and Welfare
- Judiciary
- Labor and Industry
- Licensing and Occupations

- Local Government
- Seniors, Veterans, Military Affairs, and Public Protection
- State Government
- Transportation

Special Committees and Task Forces

Often during a legislative session, the General Assembly will appoint a special committee or task force to study various important issues and to make reports to LRC. These special committees are generally only authorized to meet between regular sessions of the General Assembly and expire at the end of the interim. The legislature often imposes a deadline in which time the special committee must prepare its report and file any legislative proposals for consideration by the next regular session of the General Assembly.

The special committees authorized for the 2007 Interim are listed below.

- Short Line Railroad Task Force (07 HJR 72)
- Interim Special Committee on 2008-2010 Budget Preparation and Submission
- Special Advisory Commission of Senior Citizens

Other Statutory and Oversight Committees

One of the major ways that the General Assembly interacts with the executive branch is through several committees that the General Assembly has authorized by statute. These statutory committees provide review and oversight of executive branch implementation of policy initiatives enacted by the General Assembly. Unless otherwise noted, each statutory committee meets monthly and is composed of legislative members. A discussion of the statutory committees and their functions follows.

Administrative Regulations Review. The legislative branch enacts laws to be implemented by the executive branch. Frequently, the General Assembly gives executive branch agencies the broad power to carry out a program and delegates to the executive branch the power and authority to do so by issuing administrative regulations. The regulations provide the details, procedures, and requirements of authorized programs. Since administrative regulations affect the public in many ways, the General Assembly has enacted a statutory procedure in KRS Chapter 13A for the drafting, notice, publication, and hearing of administrative regulations issued by state agencies. Each month, LRC compiles, prints, and distributes administrative regulations in the *Administrative Register of Kentucky*; and annually compiles, prints, and distributes the *Kentucky Administrative Regulations Service*. The service constitutes the official state publication of administrative regulations and contains all administrative regulations filed with LRC.

The General Assembly has also adopted a review process for regulations. All regulations, except those of an emergency nature, become effective after review by the Administrative Regulation Review Subcommittee (ARRS) and upon adjournment of a subsequently assigned interim joint committee (which may also conduct a review) or 30 days after referral by LRC, whichever comes first. ARRS reviews every administrative regulation filed by the executive branch. After consideration by ARRS, the administrative regulations are referred by LRC to the appropriate

interim committees for their consideration. During a legislative session, the regulations are referred to the appropriate standing committees of the General Assembly. The interim or standing committees may choose to conduct a second review of the regulation. Executive branch agencies must have a representative in attendance at the committee meetings to discuss the regulations and answer questions.

Either ARRS or the second reviewing committee may find an administrative regulation deficient. If an administrative regulation is found deficient, that finding will be transmitted to the governor for his or her determination that the administrative regulation should be withdrawn, be withdrawn and amended to conform to the finding of deficiency, or become effective notwithstanding the finding of deficiency. The governor's determination will be transmitted to LRC and to the regulations compiler.

An emergency administrative regulation becomes effective as soon as it is received in the regulation compiler's office and expires 180 days from the date of filing with the compiler, unless the administrative body extends the time for filing a statement of consideration, in which case the emergency regulation will remain in effect for that period of extension.

A detailed description of the process for issuing and reviewing administrative regulations can be found in *Kentucky Administrative Regulations* (Legislative Research Commission Informational Bulletin No. 118).

Budget Review. LRC has assumed its budget review function as a method of providing the General Assembly and the public adequate knowledge of budget matters pertaining to all agencies of state government. Each branch is required by law to submit to LRC an annual Program and Financial Report indicating actual budgetary operations and accomplishment of activities and services in comparison with enacted budgets and planned program services.

The Interim Joint Committee on Appropriations and Revenue reviews and acts on branch interpretations of provisions in the biennial budget bills, as required by statute. When the General Assembly is not in session, the committee reviews and acts on proposed spending by the state budget director and executive branch agencies, if the spending is in excess of what is contained in the budget bill. If the committee objects, the revised appropriation is not implemented, unless the state budget director declines to comply with the objection for a stated reason. The committee also receives information regarding budget adjustments within appropriation levels. LRC also prescribes uniform forms and instructions to be used by all agencies in developing their budget estimates and requests. LRC receives copies of agency budget requests as they are submitted to designated officials prior to each legislative session. Coupled with the budget reports, this information enables the budget review staff and the Interim Joint Committee on Appropriations and Revenue to prepare for the introduction of the branch biennial budgets and give them detailed and enlightened study following their receipt by the General Assembly.

After the governor presents the proposed budget to the General Assembly as set forth in KRS 48.100, the state budget director traditionally makes separate presentations to the House and Senate Appropriations and Revenue Committees to outline the governor's recommendations and answer any policy initiatives.

During the remainder of the session, the Governor's Office and the state budget director have numerous discussions with legislators and legislative staff to answer questions, provide additional information, and respond to legislative changes in the proposed budget.

Representatives of state agencies will be requested to testify before the House and Senate Appropriations and Revenue Committees on the governor's budget recommendations and the other legislation that may have a fiscal impact including revenue measures or expenditures.

During the final weeks of the session, as the budget bill enters the conference process, the Governor's Office and the state budget director are very involved in monitoring the legislative deliberations and reacting to provisions contained in the budget bill.

Capital Projects and Bond Oversight. The Capital Projects and Bond Oversight Committee (CPBOC) is charged with overseeing

- the expenditure of funds budgeted for capital projects;
- the allotment of funds from the emergency repair, maintenance, and replacement account and the capital construction and equipment purchase contingency account;
- the state's acquisition of capital assets, including the lease of real property;
- the issuance of bonds by the Commonwealth and the related individual projects; and
- the issuance of bonds by or on behalf of local school districts.

The committee interacts with various state agencies as it carries out its oversight work but most frequently interacts with the Finance and Administration Cabinet, which manages most authorized capital projects, procures most state leases, and reviews all bond sales. CPBOC receives monthly reports on

- allocations from the Emergency Repair, Maintenance, and Replacement Account;
- allocations from the Capital Construction and Equipment Purchase Contingency Account;
- major modifications to authorized executive branch projects;
- any proposed capital project not included in an approved budget;
- bond issues;
- Kentucky Infrastructure Authority projects;
- economic development bond projects
- leases in excess of \$100,000 for private property or with a governmental entity; and
- modifications in existing leases.

The University of Kentucky, University of Louisville, Murray State University, Northern Kentucky University, and Western Kentucky University all manage their own capital construction projects and report directly to CPBOC any proposed scope increases or major modifications in authorized projects or any proposed unbudgeted capital projects. The Finance and Administration Cabinet reports capital construction activities for agencies under its jurisdiction, as well as for the postsecondary institutions of Morehead State University, Eastern Kentucky University, Kentucky State University, and the Kentucky Community and Technical College System. Similarly, the Administrative Office of the Courts reports modifications regarding court projects.

The Finance and Administration Cabinet, the universities that manage their own capital construction programs, and the Administrative Office of the Courts also submit quarterly status reports each January, April, July, and October to CPBOC on the status of authorized capital projects.

If CPBOC does not approve a proposed action submitted in the monthly reports, the head of the submitting entity must advise the committee in writing within 30 days whether the agency will revise the action to address the committee's objections, cancel the action, or proceed with the proposed action despite the committee's objections. (This procedure does not apply to reportable items such as quarterly construction reports and reports of allocations from the Emergency Fund.)

Government Contract Review. The Government Contract Review Committee is responsible for legislative oversight of contracts and agreements. The committee reviews

- personal service contracts and price contracts for any professional service for a state agency;
- memoranda of agreement;
- memoranda of understanding;
- program administration contracts;
- interlocal agreements to which the Commonwealth is a party; and
- privatization contracts or similar devices relating to services between a state agency and any other governmental body or political subdivision of the Commonwealth that involves an exchange of resources or responsibilities to carry out a governmental function.

The committee examines the stated need for the service, whether the service could or should be performed by state personnel, the amount and duration of the contract or agreement, and the appropriateness of any exchange of resources or responsibilities.

The committee is also authorized to grant exemptions it deems appropriate for committee review. Typically, no work can begin on a personal service contract until it is filed with the committee, and no payment can be made for services rendered after committee disapproval, unless the decision is overridden by the secretary of the Finance and Administration Cabinet. If the committee objects to or disapproves of a contract or agreement, notice is provided to the secretary of the Finance and Administration Cabinet or his or her designee who must revise or cancel the agreement or override the committee's objection.

The following agencies submit information directly to Government Contract Review Committee and are exempted from Finance and Administration Cabinet review:

- State universities (KRS 164A.575)
- Kentucky Housing Corporation (KRS 198A.040)
- Kentucky Lottery Corporation (KRS 154A.120)
- Kentucky Retirement Systems (KRS 61.515 and KRS 161.340)
- Legislative Research Commission (Constitution Section 27)
- Kentucky Employer's Mutual Insurance Authority (KRS 342.811)
- Kentucky Higher Education Student Loan Corporation (KRS 164A.060)
- Department for Facilities Management, Finance and Administration Cabinet (by delegation of the secretary)
- Agencies within the judicial branch (Constitution Section 27)

After awarding a personal service contract or memorandum of agreement, state agencies deliver a copy to the committee. The committee is required to maintain a file, indexed by vendor name, by state agency or organization, and by type of service provided and make the file available for public inspection. Contracts, agreements, and amendments are provided to committee members for review.

Program Review and Investigations. The Program Review and Investigations Committee studies and evaluates state agency operations to determine their effectiveness in accomplishing legislative intent, their efficiency of operations, and whether money appropriated is being spent as intended. The committee may also consider whether changes are needed in state agency programs or whether reorganization of state agencies is needed to accomplish intended results. The committee prepares reports on its findings and recommendations and submits them to the agencies concerned, the governor, and the General Assembly. The committee has the power to subpoena witnesses and documents to obtain information, and state agency employees are required by statute to provide the committee with the information and assistance necessary to properly conduct a study. Agencies are also obligated to correct operational problems identified by the committee and implement recommended actions or propose suitable alternatives. If an agency fails to take corrective action or the action taken is not appropriate, the committee reports the matter to the General Assembly.

A request for a review may be made by any official of the executive, judicial, or legislative branches. In recent years, most suggestions for study topics have come from members of the General Assembly. Typically, the committee chooses several topics for study by staff at the beginning of each interim. A majority vote of members of the committee is required to initiate a study. For each study authorized, committee staff produce a written report that addresses specific objectives and questions approved by the committee. Usually, a report focuses on a particular state program and contains recommendations for how the administration of the program could be improved. Relevant state agencies are given the opportunity to address the report and its recommendations. Although reports are based on staff research, a report approved by a majority vote of the committee's membership represents an official opinion of the committee. The committee's statutory jurisdiction is broad and this is reflected in the subjects chosen for investigation by its members.

Medicaid Oversight and Advisory Committee. The Medicaid Oversight and Advisory Committee provides oversight on the implementation of Medicaid provisions within the Commonwealth, including access to services, utilization of services, quality of services, and cost containment. The committee is required to meet at least four times annually.

Education Assessment and Accountability Review. The Education Assessment and Accountability Review Subcommittee is charged with reviewing administrative regulations relating to the assessment and accountability system for elementary and secondary education. The Department of Education is required to be present at all meetings in which administrative regulations are under review by the subcommittee. The subcommittee seeks input from others as well as from the Kentucky Board of Education. The subcommittee is charged with advising the Kentucky Board of Education regarding its proposed administrative regulations and forwarding its actions to LRC. In addition to its work with the Department of Education, the subcommittee

also advises and monitors the Office of Education Accountability in carrying out the office's duties and responsibilities.

Tobacco Settlement Agreement Fund Oversight. The Tobacco Settlement Agreement Fund Oversight Committee provides legislative oversight for the expenditure of funds coming to Kentucky as a result of a legal settlement with tobacco companies and the various state attorneys general. The committee monitors projects created by grants and loans of tobacco settlement funds that are given out by a panel of citizens and state officials and determines if these projects meet statutory requirements.

LRC Publications on Committee Activities

The activities of all the committees are presented annually in the *Final Reports of the Interim Joint, Special, and Statutory Committees*, which is produced in late November or early December preceding a regular session. Another regular publication, *Issues Confronting the Kentucky General Assembly*, provides information that is helpful in preparing for a session. It is produced each fall. The *Interim Legislative Record*, a monthly publication, provides the minutes of the committee meetings and the summaries of the pre-filed bills. A list of the membership of the committees and committee chairs, pre-filed bills, and other LRC publications are available on the LRC Web site at <lrc.ky.gov>.

Budget Process

The executive budget is the most effective means for a governor to recommend and implement public policy and priorities. Because of the timetable for preparation and submission of the state's biennial budget, the new governor must act quickly to formulate the proposed budget plan. Because the governor is head of the executive branch and because the majority of state spending is authorized in the Executive Budget Bill, the governor exercises an influential policy role in the budget process. The governor is inaugurated in early December. The General Assembly convenes on the Tuesday after the first Monday of January, and the newly elected governor in his or her first term in office is required by KRS 48.100(1) to submit the budget for the next biennium by the 15th legislative day—seven weeks after inauguration day and 12 weeks after election day.

Several provisions of the Constitution of Kentucky relate directly to the budget process. Section 46 requires all bills for appropriating money or creating a debt to receive the votes of a majority of all members elected to the House and Senate. Section 47 states that bills to raise revenue must originate in the House and that the Senate may amend tax bills. During an odd-year session, no bill raising revenues or appropriating funds can become law unless agreed to by three-fifths of all the members elected to each house. Section 171 permits the levy and collection of taxes for public purposes only and by general laws and requires that a balanced budget be enacted. Section 230 requires legislative appropriation of money withdrawn from the State Treasury and dedicates revenue from motor fuel and motor vehicle taxes and fees to highways, vehicle regulation, and administration purposes.

The budget process begins prior to the election of the governor, when forms and instructions approved by the Legislative Research Commission in July are sent to all agencies in the three branches for return no later than mid-November.

Under KRS 48.060(1) the governor-elect receives all agency budget requests and supporting documentation by November 10. The governor-elect and persons designated by the governor-elect are entitled to participate in the budget-making process for the executive branch. Any statewide constitutional officers-elect may request and receive information about their respective offices.

Consensus Forecasting Group

Prior to 1993, the executive branch and legislative branch each developed independent revenue forecasts. Due to differences in the amount of total revenues projected, legislators—primarily the Appropriations and Revenue Committees—had to choose which forecast to use when the budget was developed.

To increase the objectivity of the estimates and to transfer responsibility for evaluating technical economic and revenue assumptions to academic economists, an informal group of executive staff, legislative staff, and academic researchers was established in 1993. The assigned task of the group was to review differences between the revenue estimates prepared by the legislative and executive branches and then develop a single consensus estimate of projected revenues to be used by both the governor and the General Assembly for purposes of developing the state budget.

The credit rating agencies welcomed this approach and cited it as an indication of improved state fiscal management. The Consensus Forecasting Group (CFG) was created by statute in 1996. The statute requires that the consensus revenue estimates be used as the official basis for budgeting purposes. The group's members are selected jointly by the state budget director and LRC.

By October 15 of each odd-numbered year, CFG must produce a preliminary forecast of state General Fund and Road Fund revenues for the current and next two fiscal years. This initial forecast is used in planning budgets for each of the branches of state government. The October CFG forecast is then updated by the 15th legislative day of each even-year session, with the Office of the State Budget Director certifying and presenting to the General Assembly the final detailed revenue estimates made by CFG, which form the basis for making state appropriations in the biennial budget (KRS 48.120).

By August 15 of each odd-numbered year, CFG, in conjunction with the Office of the State Budget Director, is responsible for developing a budget planning report that includes projections of economic conditions and preliminary planning estimates of General Fund and Road Fund revenues for the current fiscal year and the next four fiscal years (KRS 48.117).

Capital Planning

KRS 7A.010-170 addresses the biennial long-term capital planning process for all three branches of state government. Each state agency prepares a six-year capital plan based upon the agency's mission and projected program needs. By April 15 of each odd-numbered year, the plans must be submitted for review by the Capital Planning Advisory Board. The 16-member board includes four persons appointed from each of the legislative, executive, and judicial branches; and four public members, two of whom are appointed by legislative leadership and one each by the governor and the chief justice. Among other items, each agency capital plan includes the implementation status of authorized projects that are recently completed or ongoing, as well as all planned projects for the next three biennia, funded by any source. Pursuant to statute, the board is to create a six-year comprehensive statewide capital improvements plan encompassing all state agencies and postsecondary institutions, to be submitted to the heads of the three branches—the governor, the chief justice, and LRC—by November 1 of each odd-numbered year. This enables the comprehensive capital plan to be used in the subsequent budget process and legislative session. Any project requested by an agency for funding by the 2008 General Assembly must be itemized in the agency's 2008-2014 plan.

Consideration of Long-term Trends

KRS 7B.060 directs the Kentucky Long-Term Policy Research Center to prepare a biennial report on significant trends affecting the Commonwealth and related implications for public policymaking. This report is issued in December prior to the beginning of the budget preparation process and is submitted to the governor, the General Assembly, state agencies, and the public. State agency and branch heads must address the trends outlined as budget priorities are determined. LRC budget forms and instructions require that agencies explain how their budget priorities address the trends and long-term policy implications contained in the biennial trends report.

Schedule for Preparing the 2008-2010 Executive Branch Budget

Deadline	Action
December 31, 2006	Long-Term Policy Research Center Board reports on biennial trends and their long-term implications. Branch budget recommendations and agency budget requests must reflect consideration of these trends.
April 1, 2007	Draft uniform budget preparation forms are proposed by representatives of the Governor, Chief Justice, and LRC for adoption by LRC.
April 15, 2007	State agencies, except for the Department of Highways, submit six-year capital improvement plans and projects requests to the Capital Planning Advisory Board for review and approval.

July 1, 2007	LRC prescribes uniform forms, records, and instructions to be used by all branch budget units in preparation of agency requests and all branch heads in submission of budget recommendations.
August 15, 2007	The Office of the State Budget Director, in conjunction with the joint executive-legislative consensus revenue forecasting group, provides a budget planning report. That document includes baseline five-year economic projections and preliminary revenue planning estimates for budget unit requests.
September 1, 2007	The Finance and Administration Cabinet issues uniform forms, instructions, and expenditures statements and supplies each branch with sets of these documents.
October 15, 2007	The Office of the State Budget Director provides preliminary detailed 2008-2010 revenue estimates for the General Fund and Road Fund based upon revenue forecasts from the joint executive-legislative Consensus Forecasting Group.
November 1, 2007	The Capital Planning Advisory Board submits the 2008-2014 state capital improvement plan, containing its proposals for state spending and funding for capital projects, to the Governor, Chief Justice, and LRC.
November 15, 2007 (Projected Date)	The Council on Postsecondary Education submits its recommendations for institutional funding levels to the executive branch and LRC.
November 15, 2007 (Statutory Date)	This is the statutory deadline for budget unit heads to submit agency budget requests to LRC and specified branch officer.
15 th Legislative Day	Branch heads must submit branch budget recommendations to the 2008 General Assembly.
15 th Legislative Day	The Office of the State Budget Director certifies final detailed revenue estimates for the General Fund and Road Fund to the 2008 General Assembly based upon the recommendation of the Consensus Forecasting Group.

The regular session of the General Assembly extends to April 15 in the even years and to March 30 in odd years. The governor may propose changes to the budget throughout the legislative process. Hearings on the budget are held by the House and Senate. The Governor's Executive Cabinet and major agency heads appear before the Appropriations and Revenue Committees to answer questions and supply information about agency budget requests, branch recommendations, and other fiscal matters. As provided in their Rules, the House and Senate have six standing budget review subcommittees, which are assigned functional jurisdictions to conduct budget deliberations and to formulate budget recommendations to the Appropriations

and Revenue Committees. If the governor has a legislative program for the General Assembly to consider, bill proposals are usually developed and transmitted early in the session in order that the budget bill may provide for any related fiscal impacts on revenues and appropriations and so that the budget committees may give timely consideration prior to action in each chamber.

Since 1980, the Executive Branch Budget has been finalized by a free conference committee composed of members of the Senate and House.

Sources of Revenue

A review of the budget process would be incomplete without attention to the major sources of revenue that finance activities and services of state government. This treatment is critical to the process because the governor must recommend, and the General Assembly must enact, a budget that balances proposed expenditures with anticipated available revenue by funding source.

Major fund sources in the budget are explained below.

- **General Fund:** State tax revenue collected under general tax laws and other designated moneys available for the activities and operations of state government, including funds received from the Tobacco Master Settlement Agreement.
- **Road Fund:** Motor fuel tax revenue and motor vehicle fees, which the Constitution dedicates to road, vehicle regulation, and related administration purposes.
- **Federal Funds:** Moneys received by state agencies for specified purposes from the federal government in the form of grants, contracts, or other aid.
- **Restricted Funds:** Moneys collected by state agencies that are restricted by statutes for expenditure toward general or specific uses by an agency, including regulatory and occupational fees and licenses, tuition, service charges, goods, product sales, donations, grants from nonstate sources, and expendable trust receipts and earnings.

These fund sources and highway bond receipts comprise the total operating budget of the Commonwealth. In addition to the operating budget, the executive budget bill includes the capital budget. Capital projects costing \$600,000 or more, equipment items costing \$200,000 or more, and leased space costing more than \$200,000 are required by statute to be itemized in the budget bill with associated funding sources. Bond issues that require an appropriation of state funds to retire the debt must be authorized by the General Assembly, and the funding source for debt service must be specified.

The Governor's Office for Policy and Management, as the executive branch budget office, performs a critical role in providing detailed information and analysis to the governor-elect during the transition period regarding government programs, operations, and fiscal policy. The state budget director, who is appointed by the governor, heads this office. The professional staff has the knowledge and expertise to assist the governor in formulating budget policies and priorities and preparing the executive budget to be submitted to the General Assembly in January.

Working With the Judicial Branch

The Court of Justice in Kentucky is a unified system for the purposes of court operations and administration. It consists of two trial levels, the District Court and the Circuit Court; the Circuit Family Court; and two appellate divisions, the Court of Appeals and the Supreme Court of Kentucky.

District Court

District Courts are established by Section 113 of the Kentucky Constitution. Each county has a District Court, although the judicial district may include more than one county. District judges are elected for four-year terms. The District Court is a court of limited jurisdiction that hears civil cases involving less than \$4,000, juvenile matters, violations of city and county ordinances, misdemeanors, cases relating to domestic violence and abuse, guardianships for disabled people, traffic offenses, probate of wills, and felony preliminary hearings. Each District Court has a small claims division in which persons can file claims not exceeding \$1,500 and have the matter determined with simplified procedures and without the need for an attorney. Statutes relating to the District Court are found primarily in KRS Chapter 24A.

Circuit Court

Circuit Courts are established by Section 112 of the Constitution. Each county has a Circuit Court, although the judicial circuit may include more than one county. Circuit judges are elected for eight-year terms. The Circuit Court is a court of general jurisdiction that hears all civil matters involving more than \$4,000. It has jurisdiction over felonies, capital offenses, land disputes, contested probate cases, administrative claims, and other civil matters. Circuit Courts have the power to issue injunctions, writs of prohibition, and writs of mandamus, and to hear appeals from District Courts and administrative agencies. Statutes relating to the Circuit Court are found primarily in KRS Chapter 23A.

Family Court Division of the Circuit Court

Section 112 of the Constitution relating to Circuit Courts was amended in 1992 to permit the Supreme Court to designate one or more divisions of a Circuit Court within a judicial circuit as a family court division. The family court division provides one judge to hear all of a family's issues relating to divorce, child custody, adoption, termination of parental rights, domestic violence, and child abuse and neglect. In this respect, the family court division hears cases that would be heard in both the District Court and the Circuit Court in judicial circuits not having a family court division. Statutes relating to the family court division of the Circuit Court are found primarily in KRS Chapter 23A.

Court of Appeals

The Court of Appeals is established by Section 111 of the Constitution. The Court of Appeals has 14 judges: two judges are elected from each of the seven Supreme Court Districts for eight-year terms. The Court of Appeals has appellate jurisdiction only and hears appeals from the

Circuit Courts. It may be authorized by the Supreme Court to hear appeals from state administrative agencies. The court chooses one of its members to serve as chief judge for a four-year term. The Court of Appeals is divided into three-judge panels that travel around the state to hear appeals instead of sitting at one site. The court may hear a case *en banc* where all of the members of the court hear and decide the case. Statutes relating to the Court of Appeals are found primarily in KRS Chapter 22A.

Supreme Court of Kentucky

The Supreme Court of Kentucky is established by Section 110 of the Constitution. It is composed of seven justices who are elected from the seven appellate districts for eight-year terms. The court chooses the chief justice, who serves for a four-year term. The chief justice is empowered to temporarily assign any judge to any court in the state, except the Supreme Court, to balance the caseload or to sit during a time of temporary vacancy. The chief justice of the Supreme Court oversees the operations and administration of the Court of Justice (COJ). At the discretion of the chief justice, the Administrative Office of the Courts, headed by an executive director, serves as the court system's administrative arm and supervises personnel in the provision of administrative goods and services to the entire COJ, which includes elected officials (judges and Circuit Court clerks). The chief justice prepares and submits the COJ budget recommendation to the General Assembly. The chief justice may be invited to present a State of the Judiciary address to the General Assembly. Statutes relating to the Supreme Court of Kentucky are found primarily in KRS Chapter 21A. Statutes relating to the Administrative Office of the Courts are found primarily in KRS Chapter 27A.

Vacancies

When a vacancy occurs in an elected judicial office in the Court of Justice, it is filled by appointment of the governor, as provided in Section 118 of the Constitution. The governor is required to make the appointment from a list of three names submitted by the Judicial Nominating Commission. If the governor fails to act within 60 days after receiving the list of names, the chief justice of the Supreme Court makes the appointment.

Judicial Nominating Commission

There is one Judicial Nominating Commission for the Supreme Court and the Court of Appeals. Each judicial circuit and each judicial district has a Judicial Nominating Commission. Each commission has seven members, one of whom is the chief justice, who chairs the commission. The Kentucky Bar Association selects two members, and the governor appoints four members. The governor's appointees must represent the two major political parties and be residents of the appropriate judicial circuit or district. However, the appointee may not hold a public office or any office in a political party. Members of the Judicial Nominating Commission, other than the chief justice, serve a term of four years. Statutes relating to the Judicial Nominating Commission are found primarily in KRS Chapter 34.

Judicial Conduct Commission

Section 121 of the Constitution establishes a procedure to retire or remove a member of the Court of Justice. Sanctions can range from a private reprimand, public reprimand, or suspension from office to removal from office or forced retirement. In this process, the governor appoints two individuals who are not members of the Kentucky Bar Association to a commission that also includes one judge from the Court of Appeals, one Circuit judge, one District judge, and one member of the Kentucky Bar Association. If the actions of the Judicial Conduct Commission create a vacancy in office, the process for filling a vacancy through the Judicial Nominating Commission is followed. Members of the Judicial Conduct Commission serve terms of four years. The Judicial Retirement and Removal Commission was renamed the Judicial Conduct Commission by Supreme Court Order 98-2, effective January 1, 1999. Statutes relating to the Judicial Conduct Commission (still listed in the statutes as the Judicial Retirement and Removal Commission) are found primarily in KRS Chapter 34.

Chapter 4

Available Resources

As chief administrator for the state, the governor requires reliable and accurate information to develop state policy. The new governor must move quickly to organize the Executive Cabinet, respond to public opinion, review the state of the Commonwealth, and prepare a budget for the coming biennium. For these reasons, the information requirements are even greater during the transition period. The governor needs more information on a faster basis than during the post-transition period.

To perform these and many other critical tasks, governors turn to a variety of sources for information and consultation from both state and national agencies and organizations. National agencies and organizations such as the National Governors Association and the Council of State Governments often provide broad-based transition assistance focusing on recruitment of staff and the budget-making process. State-level agencies and organizations like the Office of the State Budget Director and the Legislative Research Commission tend to focus on the particulars of policymaking and issue management.

State-level Government Agencies and Organizations

Executive Branch Agencies

State and local agencies provide many resources for the governor. One office central to executive branch policymaking is the Office of the State Budget Director (OSBD). OSBD reports directly to the governor and comprises the Governor's Office of Policy and Management, Policy Research, and Economic Analysis. OSBD has a professional staff providing a wealth of information to a new administration including economic analysis, budgetary information, and policy briefings on virtually any issue facing state government.

In addition to OSBD, each executive branch agency will prepare briefing documents about what services it performs, its budget situation, and any important policy matters affecting that agency. Another agency that provides information is the Department for Libraries and Archives, which publishes a quarterly listing of documents and reports from state agencies. This information can assist the governor in formulating policy during the upcoming legislative session.

Long-Term Policy Research Center

The Long-Term Policy Research Center was established to gather information on critical trends and emerging issues likely to have a significant impact on the Commonwealth. The center publishes a quarterly newsletter called *Foresight* that includes brief discussions of emerging issues. Periodically, the center releases information on major research projects. An index to recent and archived reports is easily accessed online at <kltprc.net>.

Legislative Research Commission

The Legislative Research Commission is the administrative wing of the Kentucky General Assembly. LRC's professional staff has policy expertise in a variety of areas and a working knowledge of both the legislative and the budget-making processes.

LRC's nonpartisan staff provide administration and support to both interim and session committees of the Kentucky General Assembly. LRC produces many research reports and memoranda that cover a variety of topics. Several publications are available for information on policy matters facing the General Assembly. Information on new and emerging issues can be found in two of LRC's informational bulletins—*Final Reports of the Interim Joint, Special, and Statutory Committees* and *Issues Confronting the Kentucky General Assembly*. LRC publishes an informational bulletin called *General Assembly Action* after each session that summarizes each enacted bill. The informational bulletins are available under "Publications" on the LRC Web site, <lrc.ky.gov>.

National Organizations, Associations, and Groups

There are a variety of national organizations and associations as well as more loosely organized groups that provide information to transition teams. Their focus is often more broad than that of state-level agencies or organizations. National organizations, associations, and groups impart important lessons from other states, provide consultation on staff recruitment, and facilitate continuity in policy among states or within a political party organization. Some of the more routinely used national organizations are listed below.

National Governors Association

The National Governors Association (NGA) is an organization focused exclusively on executive branch management of public policy issues and state-level governance in general. NGA partisan affiliates—the Republican Governors Association and the Democratic Governors Association—provide information and expertise focusing on the relationship between state issues and the national party position. NGA represents the states as a collective before Congress, conducts seminars, and provides management and technical assistance to states.

NGA provides targeted transition assistance to both outgoing and incoming governors. It holds seminars that provide a mentoring program between new governors and established governors in other states. It provides consultation to transition teams and to governors' families focusing on the immediate issues of family life, budget making, recruitment, and policy management. NGA produces a number of publications for incoming governors, including *Transition and the New Governor: A Planning Guide*; *Management Challenges for the New Governor: Hurdles to Clear and Where to Find Help*; and *Briefing Documents on Transition*. Another important NGA publication is *Governing* magazine, which focuses on executive branch issues. NGA is accessible online at <www.nga.org> as are the Republican Governors Association at <www.rga.org> and the Democratic Governors Association at <www.democraticgovernors.org>.

National Association of State Budget Officers

The National Association of State Budget Officers (NASBO) is a professional membership organization for state fiscal officers that is affiliated with the National Governors Association. NASBO collects and disseminates information on state budget processes, including the interactions between the executive branch budget offices and legislators, fiscal policy, and ethics in budget making. NASBO engages in research, policy development, education, training, and technical assistance. Its Web site is located at <www.nasbo.org>.

Council of State Governments

The Council of State Governments (CSG) <www.csg.org>, headquartered in Lexington, is an umbrella organization for both the executive and legislative branches of state government. Designed as a forum for addressing multistate and regional problems, CSG offers leadership training, research and information products, and regional problem-solving activities. CSG is divided into four conferences—Eastern, Western, Midwest, and Southern. Kentucky is a member of the Southern Legislative Conference <www.slcatlanta.org>, the largest of the four regional conferences.

National Conference of State Legislatures

The National Conference of State Legislatures (NCSL) provides a forum for legislatures to advance policy ideas, discuss problems, and find policy solutions. However, because of the organization's understanding of the legislative process and current issues, NCSL can provide indirect informational assistance to transition teams. Important publications produced by NCSL include a monthly issues magazine titled *State Legislatures*; the periodical *Capitol to Capitol*, which provides timely information on important federal legislation, and *LegisBriefs*; which highlights current topics affecting states. Information on NCSL's publications are available on its Web site at <www.ncsl.org>.

Congressional Delegation

Transition is simultaneously a process of policy continuity and policy change both within the state and between different levels of government. Growing policy interdependence between states and between different levels of government makes establishing open lines of communication essential. Governors often rely on information provided by Congressional offices to assist in policy management and to communicate state-level policy preferences to an active lobby in Washington, D.C. Contact information on Kentucky's U.S. congressional delegation is contained in Appendix F.

United States Government Printing Office

The United States Government Printing Office (GPO) <www.gpo.gov> disseminates information on all branches of government. The office provides an exhaustive index to publications, databases, research documents, and memoranda produced by federal agencies. Its online access provides searchable databases grouped by branch of government—executive, legislative,

judicial. The index provides a subject listing on databases containing information on U.S. public and private laws, various U.S. agencies and House and Senate publications, bills, and journals. The GPO database search is available online at <www.gpoaccess.gov>.

Work Cited

National Governors Association. Office of Management Consulting and Training. *Transition and the New Governor: A Planning Guide*. Washington, D.C.: 1998.

Appendix A

Statutes Pertaining to Gubernatorial Transition

11.210 Definition for KRS 11.210 to 11.260.

As used in KRS 11.210 to 11.260, “Governor-elect” means the person who is the apparent successful candidate for the office of Governor, as ascertained by the Secretary of State following the general election.

History: Created 1972 Ky. Acts ch. 3, sec. 1.

11.220 Purpose, intent of gubernatorial transition law.

The General Assembly declares it to be the purpose of KRS 11.210 to 11.260 to promote the orderly transfer of the executive power in connection with the expiration of the term of office of a governor and the inauguration of a new governor. The interest of the Commonwealth requires that such transitions be accomplished so as to assure continuity in the conduct of the affairs of the state government. Any disruption occasioned by the transfer of the executive power could produce results detrimental to the safety and well-being of the Commonwealth and its people. Accordingly, it is the intent of the General Assembly that appropriate actions be authorized and taken to avoid or minimize any disruption. In addition to the specific provisions contained in KRS 11.210 to 11.260 directed toward that purpose, it is the intent of the General Assembly that all officers of the state government so conduct the affairs of the state government for which they exercise responsibility and authority as to be mindful of problems occasioned by transitions in the office of Governor, to take appropriate lawful steps to avoid or minimize disruptions that might be occasioned by the transfer of the executive power and otherwise to promote orderly transitions in the office of Governor.

History: Created 1972 Ky. Acts ch. 3, sec. 2.

11.230 Facilities for Governor-elect.

The secretary of the Finance and Administration Cabinet is authorized to provide, upon request, to each Governor-elect, for use in connection with his preparations for the assumption of official duties as Governor, necessary services and facilities, including suitable office space appropriately equipped with furniture, and office supplies as determined by the secretary of the Finance and Administration Cabinet after consultation with the Governor-elect, within the State Capitol complex.

History: Amended 1974 Ky. Acts ch. 74, Art. II, sec. 9(2). -- Created 1972 Ky. Acts ch. 3, sec. 3.

11.240 Duty of outgoing Governor.

It shall be incumbent upon the outgoing Governor to direct that all official documents, vital information and procedural manuals shall be given to the Governor-elect upon request.

History: Created 1972 Ky. Acts ch. 3, sec. 4.

11.250 Participation in budget making by Governor-elect.

- (1) The Governor-elect or a delegate appointed by him shall be entitled to examine the budget request of the executive branch of government, and the Finance and Administration Cabinet shall provide him with every practicable facility for reviewing and familiarizing himself with its contents. The Governor-elect shall be entitled to a seat in all hearings thereon. He shall be furnished a copy of the budget request of each executive branch budget unit. The budget director shall make available to the Governor-elect so much as he requests of the information upon which the Governor's budget recommendation is based.
- (2) After a review of the executive branch draft budget bill, the Governor-elect may prepare revisions and additions thereto. The budget director shall assist, upon request, in the preparation of such revisions and additions.
- (3) The budget director shall have as many copies of the revised budget recommendation of the executive branch of government printed as the Governor-elect requests.

Effective: July 13, 1990

History: Amended 1990 Ky. Acts ch. 507, sec. 1, effective July 13, 1990. -- Amended 1982 Ky. Acts ch. 450, sec. 50, effective July 1, 1983. -- Amended 1974 Ky. Acts ch. 74, Art. II, sec. 9(1). -- Created 1972 Ky. Acts ch. 3, sec. 5.

11.260 Expenses of transition.

The Finance and Administration Cabinet shall bear all necessary expenses for carrying out the purposes of KRS 11.210 to 11.260. The Governor shall include in the budget transmitted to the General Assembly, for each fiscal year in which his regular term of office will expire, a proposed appropriation for carrying out the provisions of KRS 11.210 to 11.260.

History: Amended 1974 Ky. Acts ch. 74, Art. II, sec. 9(1). -- Created 1972 Ky. Acts ch. 3, sec. 6.

Appendix B

History and Organization of the Executive Branch of Kentucky State Government

Office of Governor

The governor of the Commonwealth of Kentucky possesses the powers granted by the Constitution of Kentucky and the statutory powers granted by the Kentucky General Assembly.

Constitutional Powers

Although Kentucky has had four constitutions, 1792, 1799, 1850, and 1891, the constitutional powers of the governor of the Commonwealth have remained basically the same since 1792.

- The first constitution placed no restrictions on the number of terms a governor could serve, provided for election of a governor by electors of the Senate, and required only two years of residency in the state prior to election.
- The 1799 Constitution prohibited a governor from serving succeeding terms, required election by the people, provided a six-year residency requirement, and created the office of lieutenant governor.
- The 1891 Constitution removed a provision that prohibited clergy from being elected governor or to the General Assembly and gave the governor the line-item veto on appropriation bills.
- All four constitutions have granted the governor supreme executive power, deemed the governor the commander-in-chief of the militia, granted pardoning power and appointive power, authorized the governor to obtain information on matters of state from executive officers and to call the General Assembly into extraordinary session, required the governor to report on the state of the Commonwealth and to faithfully execute the laws, and required that the governor's salary be fixed by law.

The first Governor of Kentucky, Isaac Shelby, was chosen by electors of the Senate in 1792. The second constitution of Kentucky was adopted in 1799, and it provided for popular election of the governor and a lieutenant governor. The first Governor elected by popular vote was James Garrard in 1800.

1792	First Governor
1800	First Governor Elected By Popular Vote First Lieutenant Governor
1851	First elected Attorney General First elected State Treasurer First elected Auditor of Public Accounts First elected Superintendent of Public Instruction
1891	First elected Secretary of State First elected Commissioner of Agriculture

From 1799 to 1992, the Constitution of Kentucky prohibited the governor from serving two consecutive terms. However, ratification of a 1992 amendment allowed the person elected as governor in 1995 and subsequent years to run for re-election for a second consecutive term. The amendment also required the governor and lieutenant governor to run jointly for election on a slate.

Executive Branch Organization

The administrative structure of Kentucky's executive branch of state government has been subject to two major reorganizations during this century, in 1936 and 1973. There was a reorganization in 1934; however, the new departments were headed by elected officials or commissions. Before 1934, the executive branch evolved through the adoption of four state constitutions and consisted largely of boards and commissions created by the General Assembly. The 1936 reorganization structured the executive branch under 10 statutory departments. Between 1944 and 1960, there were 14 departments created. Between 1973, when the program cabinet system was adopted, and 2003, the number of program cabinets grew from 6 to as many as 14. In 2007 there are nine program cabinets.

Executive Branch Before 1934

During the early years of this century, state governments were faced with rising costs and demands for government services. Today, state governments continue to confront those problems, but they were compounded at the turn of the century because, in most states, the governor had not exhibited many characteristics of an executive manager. In 1917, in response to demands for a state government that could be more efficiently administered, Illinois became the first state to adopt a reorganization plan. Prior to World War II, approximately 30 states followed Illinois in enactment of reorganization plans that made most administrative agencies responsible to the governor. The Kentucky General Assembly defined the powers for the first time in the 1936 Reorganization Act. Prior to that time, the executive branch consisted of various boards, commissions, and independent agencies that were not organized in a systematic plan. Those entities included

- 1833 State Librarian
- 1836 Board of Internal Improvements
- 1838 State Board of Education
 - Common School Fund
 - Superintendent of Public Instruction (appointed by governor)
 - System of Common Schools
- 1870 Bureau of Insurance (in Office of Auditor)
- 1876 Bureau of Agriculture, Horticulture, and Statistics
- 1878 State Board of Health
- 1884 Department of Mines
- 1898 State Board of Penitentiary Commissioners
- 1902 Labor Inspector
- 1906 Fire Marshal of Kentucky (Deputy Insurance Commissioner)
 - State Racing Commission
 - State Board of Agriculture, Forestry, and Immigration

- State Board of Control of Charitable Institutions
- 1910 Live Stock Sanitary Board
- Library Commission
- 1912 Department of Public Roads
- Department of Banking
- Game and Fish Commission
- State Board of Forestry
- State Board of Agriculture
- 1916 State Tax Commission
- Workers' Compensation Board
- 1918 Budget Appropriation Commission (state's first budget system)
- State Textbook Commission
- Vocational Education Board
- Commissioner of Geology and Forestry
- State Board of Control
- 1920 State Board of Charities and Corrections
- Educational Commission
- 1922 Department of State Roads
- State Highway Commission
- 1924 State Park Commission
- 1926 State Highway Department (Dept. of State Roads and Dept. of Public Roads merged)
- Department of Motor Transportation
- Purchasing Commission
- Securities Department
- State Bank Examiners
- Commissioner of Pardons
- Budget Commission
- State Budget Officer
- 1932 Department of Public Welfare
- Department of Military Affairs

Executive Branch Structure in 1934

In 1934, there were 69 statutory boards, offices, agencies, and commissions, in addition to the constitutional offices. Governor Ruby Laffoon proposed and the General Assembly enacted in 1934 the Administrative Reorganization Act. The executive branch was organized under 17 administrative departments and seven independent agencies. The Act also created the Executive Cabinet. The 1934 reorganization has not been considered a true reorganization because most of the major departments were headed by commissions or elected officials, rather than by a single person appointed by the governor. The Department of Public Property, for example, consisted of the governor, who acted as chair, the auditor, treasurer, secretary of state, attorney general, and four other persons. The Department of Finance and Budgetary Control consisted of the governor, chair of the State Tax Commission, and secretary of the Executive Cabinet.

The Reorganization of 1936

The Reorganization Act of 1936 was enacted at an extraordinary session of the General Assembly, called by Governor A.B. Chandler in February 1936. In his proclamation the Governor stated that it was essential that the multiplicity of scattered boards, commissions, departments, and other agencies of state government be brought together into a systematic, orderly plan. The Reorganization Act of 1936 largely abolished boards and commissions, except those having quasi-legislative and quasi-judicial functions.

More than 50 administrative agencies were consolidated by the 1936 reorganization under 10 statutory departments.

The 1936 Reorganization Act also gave the governor statutory administrative powers that had been lacking. The Act also created the Governor's General Cabinet, which consisted of the governor, heads of the 10 statutory departments, auditor, secretary of state, attorney general, state treasurer, commissioner of agriculture, superintendent of public instruction, and adjutant general. Functions previously performed by the State Planning Board were transferred to the Governor's General Cabinet. The current statute lists members as heads of the constitutional and statutory administrative departments and program cabinet secretaries.

The Years Between the 1936 and 1973 Reorganizations

Between 1944 and 1960, as demands for new services grew, 14 departments were created within the executive branch.

By 1960, two of the departments established in 1936 no longer existed.

- In 1954, the Department of Library and Archives was abolished.
- In 1960, the Department of Business Regulation was eliminated.
- In 1962, the Department of Libraries was established, the Department of Public Relations was renamed the Department of Public Information, the Department of Economic Development was renamed the Department of Commerce, and the Department of Welfare was abolished and replaced by the Department of Corrections.
- In 1964, the Department of Conservation was renamed the Department of Natural Resources.
- In 1970, the Commission on Women was created.

Reorganization of 1973

Thirty-six years after the 1936 reorganization, there were more than 60 departments and administrative agencies and 210 boards, commissions, and committees reporting to the governor. State revenue collections increased from \$11.5 million in 1936 to \$845 million in 1971. The expansion of public services and governmental programs led to duplication of services and inefficiency in operations.

On November 28, 1972, Governor Wendell Ford issued the Governor's Reorganization Report No. 1, which set a framework of government that would be manageable, responsive, accountable,

and flexible. The executive branch was to be organized, as of January 1, 1973, into six program cabinets: Consumer Protection and Regulation, Development, Education and the Arts, Human Resources, Safety and Justice, and Transportation. By October 1973, there were three program cabinets (Development, Education and the Arts, and Consumer Protection and Regulation); and four additional departments (Human Resources, Justice, Natural Resources and Environmental Protection, and Transportation).

Years Between 1973 and 2007

- In 1978, a fifth department (Energy) was added.
- In 1982, the five departments received cabinet status, as did the Finance and Administration Department, the Bureau of Corrections, and the Department of Revenue. In 1984, the Labor Cabinet and Tourism Cabinet were added, to create a system of 13 program cabinets.
- In 1989, the Energy Cabinet was abolished.
- In 1990, the Workforce Development Cabinet was created.
- In 1992, the Corrections Cabinet was merged into the Justice Cabinet.
- In 1994, the Education and Humanities Cabinet was renamed the Education, Arts, and Humanities Cabinet.
- In 1998, the Department of Personnel was elevated to cabinet status.
- In 1998, the Tourism Cabinet was renamed the Tourism Development Cabinet.
- In 1998, the Cabinet for Human Resources was abolished and two new cabinets were created: the Cabinet for Health Services and the Cabinet for Families and Children.
- In 2005, the Tourism Development Cabinet was renamed the Commerce Cabinet.
- In 2005, the Revenue Cabinet was abolished and established as the Department of Revenue within the Finance and Administration Cabinet.
- In 2005, the Natural Resources and Environment Protection Cabinet was renamed the Environmental and Public Protection Cabinet. The Cabinet for Public Protection and Regulation and the Labor Cabinet were abolished, and the programs were combined into the Environmental and Public Protection Cabinet.
- In 2006, the Education, Arts, and Humanities Cabinet was renamed the Education Cabinet.
- In 2007, the Justice Cabinet was renamed the Justice and Public Safety Cabinet.

Kentucky's Executive Branch Structure in 2007

The executive branch of Kentucky state government is structured on a program cabinet system consisting in 2007 of nine program cabinets, each headed by a secretary, who is appointed by the governor. The program cabinets listed below and the agencies within each cabinet are designated in the statutes.

Finance and Administration Cabinet
Education Cabinet
Cabinet for Health and Family Services
Environmental and Public Protection Cabinet
Transportation Cabinet
Cabinet for Economic Development
Commerce Cabinet
Justice and Public Safety
Personnel Cabinet

Each secretary acts as the chairman of the related cabinet, is a member of the Governor's Cabinet and serves as the governor's liaison for providing direction and coordination of the various departments, boards, and commissions. The General Assembly established the authority, powers, and duties of the secretaries in the statutes.

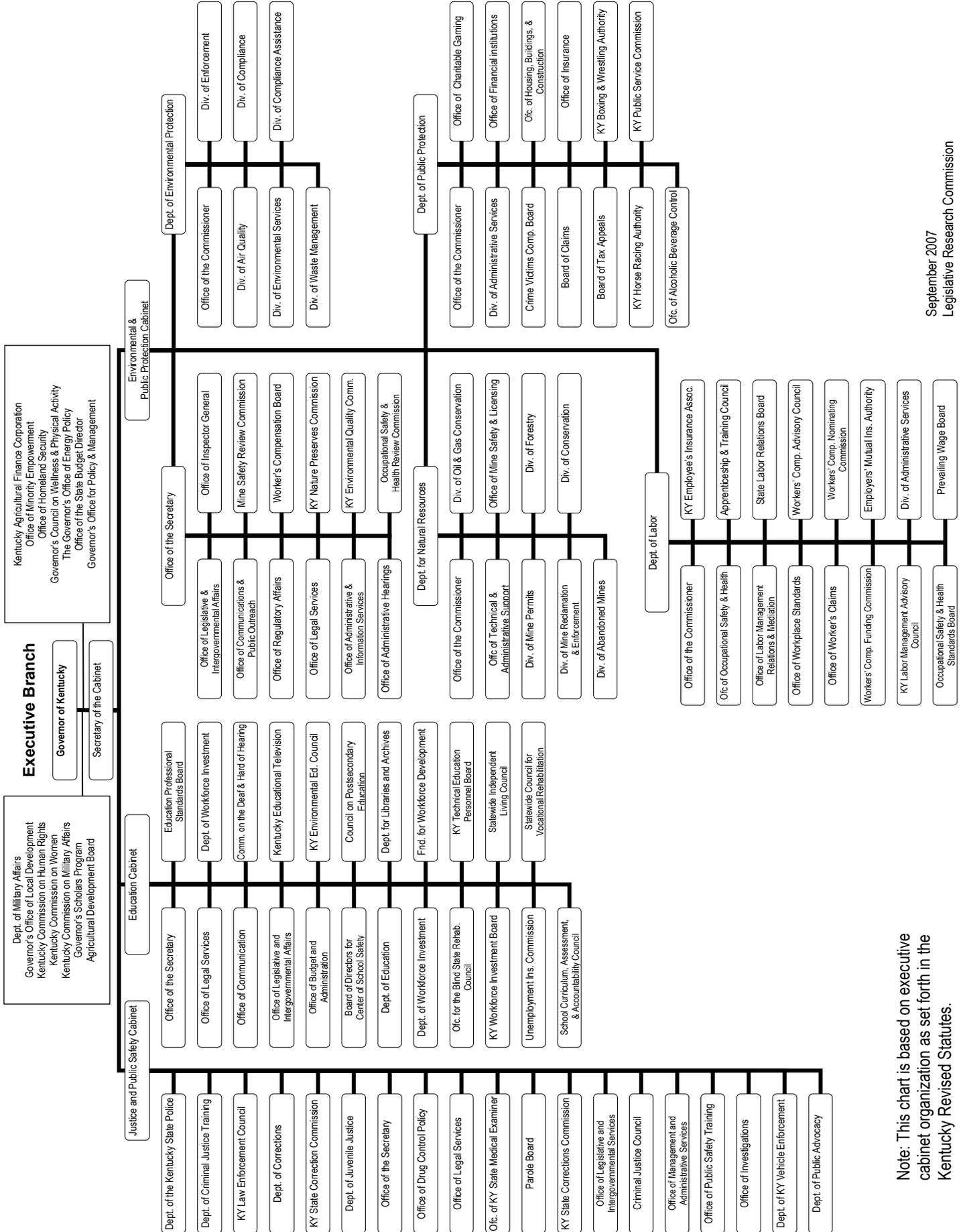
The Governor's General Cabinet is composed of the heads of the constitutional and statutory administrative departments and program cabinet secretaries. The governor serves as chair of the General Cabinet, which is attached to the Office of the Governor and is not a separate department or agency.

The Governor's Executive Cabinet consists of the secretaries of the program cabinets, the state budget director, the governor's chief of staff, and the lieutenant governor. The Executive Cabinet meets not less than once every two months. It is a part of the Office of the Governor and is not a separate department or agency. The members are major assistants to the governor in the administration of the state government, assist the governor in the proper operation of the office, and perform such other duties as the governor may require of them.

The Office of the Secretary to the Governor's Executive Cabinet is not part of the Office of the Governor but is a separate agency of state government. The secretary is appointed by the governor and is responsible for implementing all policies of the governor, coordinating all activities of the Governor's Executive Cabinet, and advising and consulting with the governor on all policy matters affecting the state.

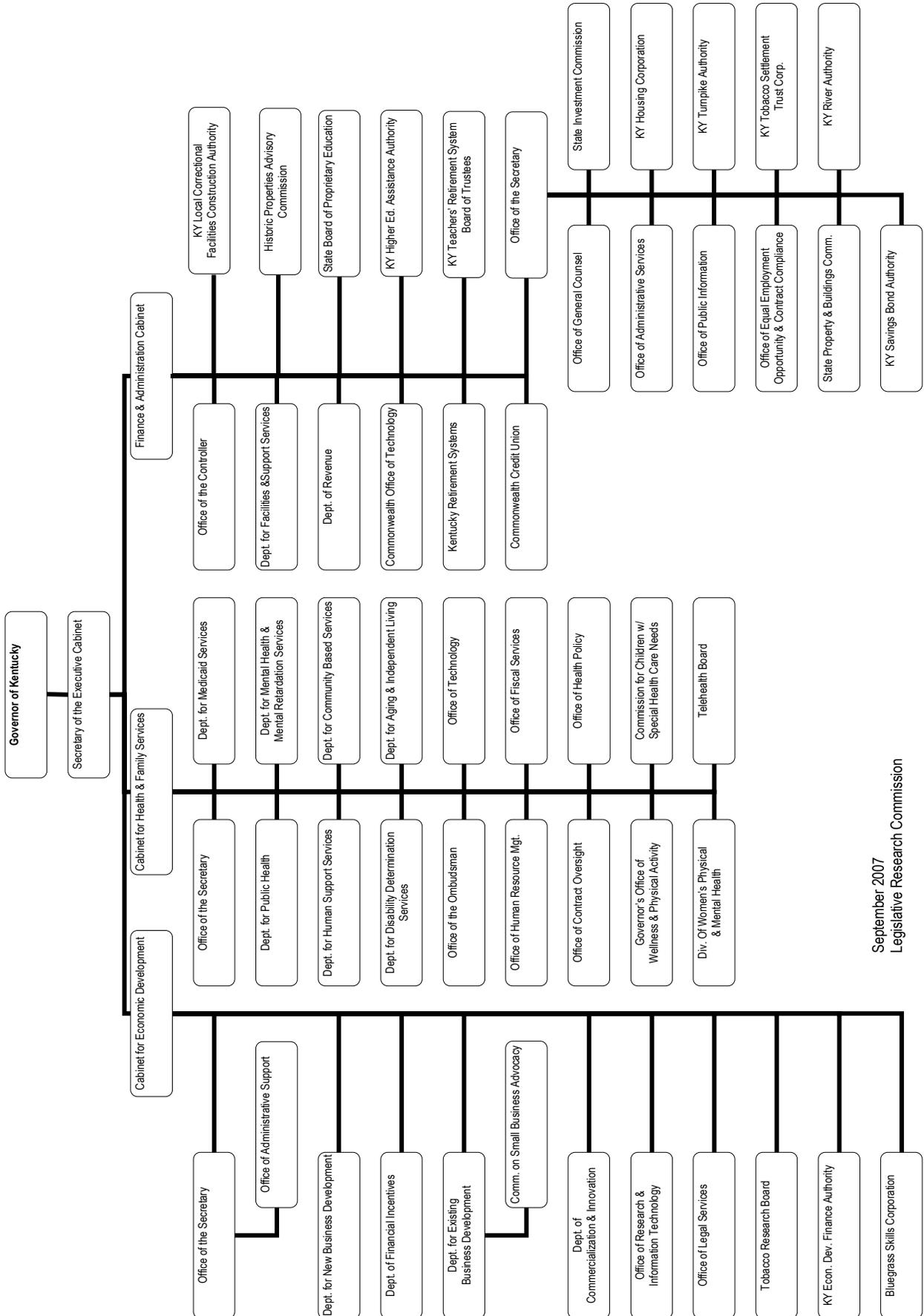
Nine administrative bodies are not attached to a program cabinet or to the Governor's Executive Cabinet but are headed by appointed officers. They are the Department of Military Affairs, Governor's Office for Local Development, Kentucky Commission on Human Rights, Kentucky Commission on Women, Department of Veterans' Affairs, Kentucky Commission on Military Affairs, Office of Minority Empowerment, and the Governor's Council on Wellness and Physical Activity.

There are 13 organizational units and administrative bodies attached to the Governor's Office: the Department of Military Affairs, Department of Veterans' Affairs, Governor's Office for Local Development, Kentucky Commission on Human Rights, Kentucky Commission on Women, Kentucky Commission on Military Affairs, Governor's Scholars Program, Agricultural Development Board, Kentucky Agricultural Finance Corporation, Office of Minority Empowerment, Office of Homeland Security, Governor's Council on Wellness and Physical Activity, and the Governor's Office of Energy Policy.



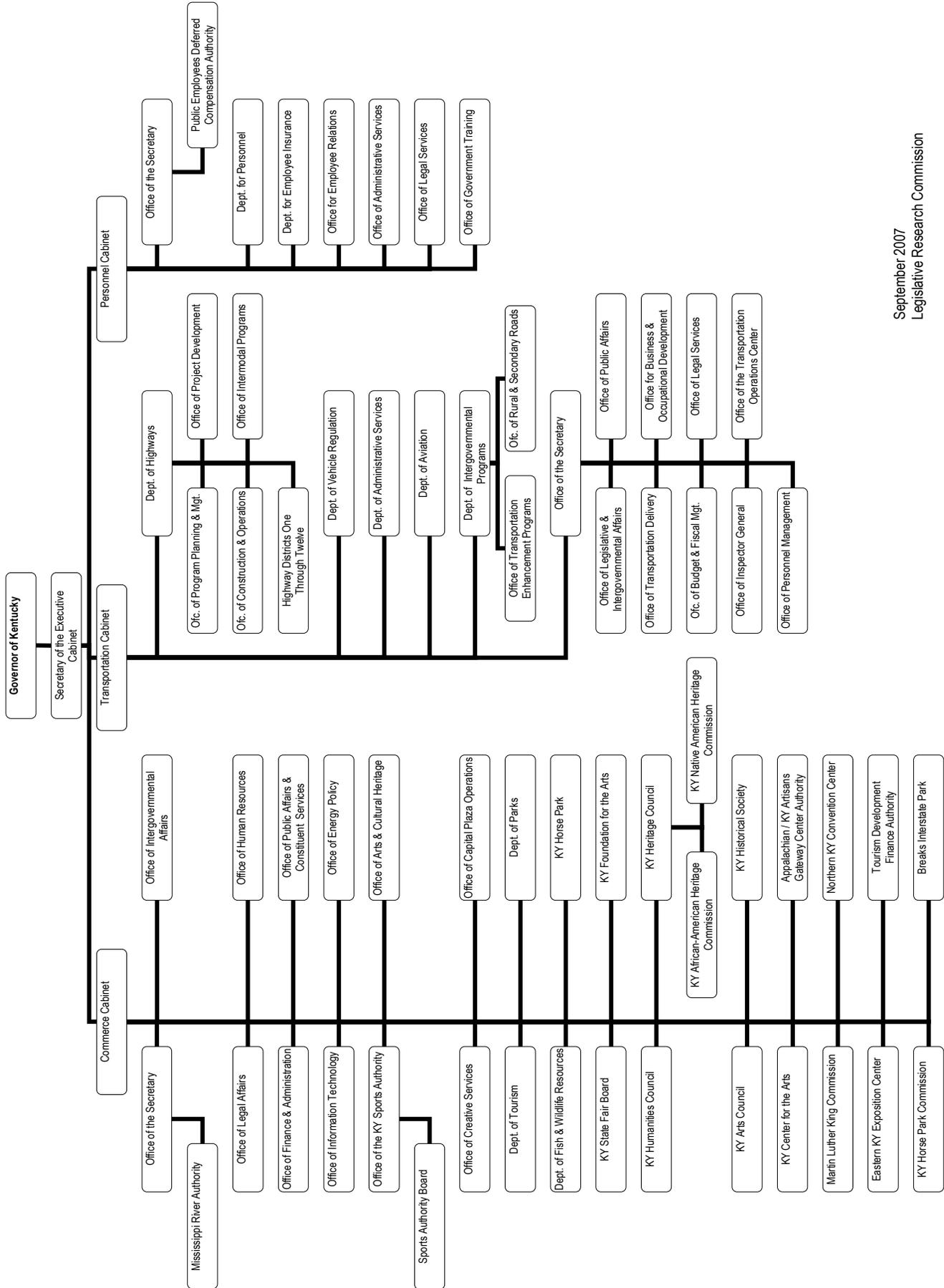
Note: This chart is based on executive cabinet organization as set forth in the Kentucky Revised Statutes.

Executive Branch (continued)



September 2007
Legislative Research Commission

Executive Branch (continued)



September 2007
 Legislative Research Commission

Appendix C

Personnel Appointments Made by the Governor

- Constitution Section 222 Adjutant General (see also KRS 36.020)
- KRS 11.040 Secretary to the Governor's Executive Cabinet and other personnel for the Governor's office
- 11.068 State Budget Director (Office of State Budget Director)
 Governor's Office for Policy and Management
 Governor's Office for Policy Research
 Governor's Office for Economic Analysis
- 11.200 Commission on Small Business Advocacy (executive director appointed by Governor at the recommendation of the commission)
- 12.010, et seq. Heads of Cabinets and Departments: Secretaries, Commissioners, Directors, Executive Directors
- Justice and Public Safety Cabinet
 Department of Kentucky State Police
 Department of Criminal Justice Training
 Department of Corrections
 Department of Juvenile Justice
 Office of the Secretary
 Office of Drug Control Policy
 Office of Legal Services
 Office of the Kentucky State Medical Examiner
 Parole Board
 Kentucky State Corrections Commission
 Office of Legislative and Intergovernmental Services
 Office of Management and Administrative Services
 Office of Public Safety Training
 Office of Investigations
 Department of Kentucky Vehicle Enforcement
 Department for Public Advocacy
- Education Cabinet
 Office of the Secretary
 Office of Legal Services
 Client Assistance Program
 Office of Communication
 Office of Legislative and Intergovernmental Affairs
 Office of Budget and Administration

Division of Human Resources
Division of Administrative Services
Division of Technology Services
Board of Directors for the Center for School Safety
Council on Postsecondary Education
Foundation for Adult Education
Department of Education
Kentucky Board of Education
Department for Libraries and Archives
Department of Workforce Investment
Office for the Blind
Office of Vocational Rehabilitation
Office of Career and Technical Education
Office of Employment and Training
Foundation for Workforce Development
Kentucky Office for the Blind State Rehabilitation Council
Kentucky Technical Education Personnel Board
Kentucky Workforce Investment Board
Statewide Council for Vocational Rehabilitation
Statewide Independent Living Council
Unemployment Insurance Commission
Education Professional Standards Board
Division of Educator Preparation
Division of Certification
Division of Professional Learning and Assessment
Division of Legal Services
Kentucky Commission on the Deaf and Hard of Hearing
Kentucky Educational Television
Kentucky Environmental Education Council
Environmental and Public Protection Cabinet
Office of the Secretary
Office of Legislative and Intergovernmental Affairs
Office of Communications and Public Outreach
Office of Regulatory Affairs
Office of Legal Services
Office of Administrative and Information Services
Office of Administrative Hearings
Office of Inspector General
Mine Safety Review Commission
Workers' Compensation Board
Kentucky State Nature Preserves Commission
Kentucky Environmental Quality Commission
Kentucky Occupational Safety and Health Review Commission
Department for Environmental Protection
Office of the Commissioner
Division of Air Quality

- Division of Water
- Division of Environmental Services
- Division of Waste Management
- Division of Enforcement
- Division of Compliance Assistance
- Department for Natural Resources
 - Office of the Commissioner
 - Office of Technical and Administrative Support
 - Division of Mine Permits
 - Division of Mine Reclamation and Enforcement
 - Division of Abandoned Mine Lands
 - Division of Oil and Gas Conservation
 - Office of Mine Safety and Licensing
 - Division of Forestry
 - Division of Conservation
- Department of Public Protection
 - Office of the Commissioner
 - Division of Administrative Services
 - Crime Victims Compensation Board
 - Board of Claims
 - Board of Tax Appeals
 - Kentucky Boxing and Wrestling Authority
 - Kentucky Horse Racing Authority
 - Kentucky Public Service Commission
 - Office of Alcoholic Beverage Control
 - Office of Charitable Gaming
 - Office of Financial Institutions
 - Office of Housing, Buildings and Construction
 - Office of Insurance
- Department of Labor
 - Office of the Commissioner
 - Office of Occupational Safety and Health
 - Office of Labor Management Relations and Mediation
 - Office of Workplace Standards
 - Office of Workers' Claims
 - Workers' Compensation Funding Commission
 - Kentucky Labor Management Advisory Council
 - Occupational Safety and Health Standards Board
 - Prevailing Wage Review Board
 - Kentucky Employees Insurance Association
 - Apprenticeship and Training Council
 - State Labor Relations Board
 - Workers' Compensation Advisory Council
 - Workers' Compensation Nominating Commission
 - Employers' Mutual Insurance Authority
 - Division of Administrative Services

Transportation Cabinet

Department of Highways

Office of Program Planning and Management

Office of Project Development

Office of Construction and Operations

Office of Intermodal Programs

Highway District Offices One through Twelve

Department of Vehicle Regulation

Department of Administrative Services

Department of Aviation

Department of Intergovernmental Programs

Office of Transportation Enhancement Programs

Office of Rural and Secondary Roads

Office of the Secretary

Office of Legislative and Intergovernmental Affairs

Office of Public Affairs

Office of Transportation Delivery

Office for Business and Occupational Development

Office of Budget and Fiscal Management

Office of Legal Services

Office of Inspector General

Office of the Transportation Operations Center

Office of Personnel Management

Cabinet for Economic Development

Office of Administration and Support

Department for New Business Development

Department of Financial Incentives

Department for Existing Business Development

Tobacco Research Board

Kentucky Economic Development Finance Authority

Office of Research and Information Technology

Department of Commercialization and Innovation

Office of Legal Services

Commission on Small Business Advocacy

Cabinet for Health and Family Services

Department for Public Health

Department for Medicaid Services

Department for Mental Health and Mental Retardation Services

Kentucky Commission for Children with Special Health Care Needs

Office of Health Policy

Office of the Secretary

Office of Legal Services

Office of Inspector General

Office of Legislative and Public Affairs

Department for Community Based Services

Department for Disability Determination Services

Office of the Ombudsman
Department for Human Support Services
Kentucky Commission on Community Volunteerism and Service
Office of Fiscal Services
Office of Human Resource Management
Office of Technology
Office of Contract Oversight
Governor’s Office of Wellness and Physical Activity
Department for Aging and Independent Living
Finance and Administration Cabinet
Office of General Counsel
Office of the Controller
Office of Administrative Services
Office of Public Information
Department for Facilities and Support Services
Department of Revenue
Commonwealth Office of Technology
Office of the 911 Coordinator
Office of Enterprise Information Technology Policy and Planning
Office of Infrastructure Services
Office of Consulting and Project Management
State Property and Buildings Commission
Kentucky Savings Bond Authority
Office of Equal Employment Opportunity and Contract Compliance
Kentucky Employees Retirement Systems
Commonwealth Credit Union
State Investment Commission
Kentucky Housing Corporation
Kentucky Local Correctional Facilities Construction Authority
Kentucky Turnpike Authority
Historic Properties Advisory Commission
Kentucky Tobacco Settlement Trust Corporation
State Board for Proprietary Education
Kentucky Higher Education Assistance Authority
Kentucky River Authority
Kentucky Teachers’ Retirement System Board of Trustees
Commerce Cabinet
Department of Tourism
Division of Tourism Services
Division of Marketing and Advertising
Division of Parks Marketing
Kentucky Department of Parks
Division of Information Technology
Division of Personnel and Payroll
Division of Financial Operations
Division of Facilities Management

- Division of Facilities Maintenance
- Division of Customer Services
- Division of Recreation
- Division of Golf Courses
- Division of Food Services
- Division of Rangers
- Division of Eastern Parks
- Division of Southern Parks
- Division of Western Parks
- Department of Fish and Wildlife Resources
 - Division of Law Enforcement
 - Division of Administrative Services
 - Division of Engineering
 - Division of Fisheries
 - Division of Information and Education
 - Division of Wildlife
 - Division of Public Affairs
- Kentucky Horse Park
 - Division of Support Services
 - Division of Buildings and Grounds
 - Division of Operational Services
- Kentucky State Fair Board
 - Division of Expositions and Admission
 - Division of Kentucky Fair and Exposition Center Operations
 - Division of Commonwealth Convention Center
 - Division of Public Relations and Media
 - Division of Administrative Services
 - Division of Personnel Management and Staff Development
 - Division of Sales
 - Division of Security and Traffic Control
- Office of the Secretary
- Office of Finance and Administration
- Office of Legal Affairs
- Office of Intergovernmental Affairs
- Office of Human Resources
- Office of Public Affairs and Constituent Services
- Office of Information Technology
- Office of the Kentucky Sports Authority
 - Kentucky Sports Authority Board
- Office of Creative Services
- Office of Capital Plaza Operations
- Office of Arts and Cultural Heritage
- Kentucky African-American Heritage Commission
- Kentucky Foundation for the Arts
- Kentucky Humanities Council
- Kentucky Heritage Council

- Kentucky Arts Council
- Kentucky Historical Society
 - Division of Museums
 - Division of Oral History and Educational Outreach
 - Division of Research and Publications
 - Division of Administration
- Kentucky Center for the Arts
 - Division of Governor's School for the Arts
- Kentucky Artisans Center at Berea
- Martin Luther King Commission
- Northern Kentucky Convention Center
- Eastern Kentucky Exposition Center
- Personnel Cabinet
 - Office of the Secretary
 - Department for Personnel Administration
 - Office for Employee Relations
 - Kentucky Public Employees Deferred Compensation Authority
 - Office of Administrative Services
 - Office of Legal Services
 - Office of Government Training
 - Department for Employee Insurance
- Other departments headed by appointed officers
 - Department of Military Affairs
 - Governor's Office for Local Development
 - Kentucky Commission on Human Rights
 - Kentucky Commission on Women
 - Department of Veterans' Affairs
 - Kentucky Commission on Military Affairs
 - Office of Minority Empowerment
 - Governor's Council on Wellness and Physical Activity
- 14.020 Assistant Secretary of State (appointed by Secretary of State with Governor's approval)
- 14.025 Directors of divisions of administration and corporations within the Department of State
- 36.130 Department of Military Affairs (adjutant general appoints officers and other personnel with Governor's approval)
- 37.200 Kentucky Active Militia (necessary officers appointed and commissioned by Governor)
- 40.300 Department of Veterans' Affairs (commissioner appointed by Governor)

- 148.011 Department of Parks (commissioner appointed by Governor, and division directors appointed by secretary with Governor's approval-see KRS 12.050)
- 153.600 Poet laureate or writer laureate (appointed by Governor for two-year term)
- 154.12-203 Kentucky Commission on Military Affairs (executive director appointed by Governor)
- 154A.030 Kentucky Lottery Corporation (president appointed by Governor subject to confirmation by board of directors)
- 161.028 Education Professional Standards Board (board members appointed by Governor and executive director appointed by board-see KRS 161.017)
- 164.011 Council on Postsecondary Education (members appointed by Governor and confirmed by both the Senate and House of Representatives)
- 171.130 Department for Libraries and Archives (commissioner, with title of State Librarian, appointed by Governor)
- 230.225 Kentucky Horse Racing Authority (executive director appointed by Governor-see KRS 230.230)
- 277.270 Railroad policemen (appointed and commissioned by Governor)
- 344.150 Kentucky Commission on Human Rights (members appointed by Governor, executive director appointed by commission - see KRS 344.180)
- 344.510 Commission on Women (executive director appointed by Governor)

Appendix D

Boards and Commissions Subject to Confirmation

Gubernatorial Appointments Subject to Senate Confirmation

Administrative Law Judges, Office of Workers' Claims (KRS 342.230)
Board of Employers' Mutual Insurance Authority (KRS 342.807)
Charitable Asset Administration Board (KRS 48.005)
Kentucky Board of Tax Appeals (KRS 131.315)
Kentucky Housing Corporation Board of Directors (KRS 198A.030)
Kentucky Lottery Corporation Board of Directors (KRS 154A.030)
Kentucky Registry of Election Finance (KRS 121.110)
Office of Insurance, Executive Director (KRS 304.2-020)
Office of Workers' Claims, Executive Director (KRS 342.228)
Parole Board (KRS 439.320)
Personnel Board (KRS 18A.050)
Public Service Commission (KRS 278.050)
Workers' Compensation Nominating Commission (KRS 342.213)

Gubernatorial Appointments Subject to Dual Confirmation (House and Senate)

Agriculture Development Board (KRS 248.707)
Education Professional Standards Board (KRS 161.028)
Governor's Postsecondary Education Nominating Committee (KRS 164.005)
Kentucky Board of Education (KRS 156.029)
Kentucky Council on Postsecondary Education (KRS 164.011)
Kentucky Long-Term Policy Research Center Board (KRS 7B.030)
Mine Safety Review Commission (KRS 351.1041)

Note: KRS 11.160 sets forth procedures and time tables for the confirmation process.

Appendix E

Documents Requiring the Governor's Signature

The chief executive of Kentucky is required both by the Kentucky Constitution and by statute to sign a myriad of documents. These range from the constitutional provision that the Governor call the General Assembly into extraordinary session by proclamation to the statutory requirement that water emergencies be “declared” by the Governor.

The attached list is representative of the types of documents that the Governor of Kentucky must sign. It is not exhaustive and does not include any regulatory requirements.

Constitution Section	Document
36	Time and place of meeting of the General Assembly - proclamation of Governor during emergency
55	Effective date of emergency legislation approved by Governor
56	Governor to sign legislation
77	Governor to grant pardons and reprieves
80	Governor to call extraordinary sessions of the General Assembly by proclamation
88	Signature or veto of legislation by Governor
89	Concurrent orders and resolutions to be signed by Governor
145	Restoration of civil rights by gubernatorial pardon
225	Armed men not to be brought into state except upon application of Governor (or General Assembly)
240	Pardon of person convicted of dueling
247	Printing contracts to be approved by Governor
256	Proclamation of Governor as to constitutional amendment

KRS Section	Document
2.130	Governor authorized and requested to issue proclamation to raise the flag in acknowledgment of Mother's Day
2.132	Governor authorized and requested to issue proclamation to raise the flag in acknowledgment of Grandmother's Day
2.140	Governor to issue proclamation to raise the flag in acknowledgment of General Pulaski's Day on October 11
2.147	Governor to proclaim June 19 as Juneteenth National Freedom Day
2.200	Governor authorized to declare a day of mourning
2.230	Governor to proclaim November as Native American Indian month
2.240	Governor to proclaim the first week of April as Organ Donor Awareness Week
2.245	Governor may annually proclaim fourth week of May as Retired Teachers' Week
2.255	Governor to proclaim the first week of March as "Commonwealth Cleanup" Week
3.080	Approval and consent of Governor to acquisition of forest reserves
3.260	Cession of legislative jurisdiction shall become effective when instrument of cession is signed by Governor
3.270	Relinquishment of legislative jurisdiction by United States shall be signed by Governor
11.100	Right to information under oath, authorization granted by Governor through writing
12.015	Governor to assign administrative bodies to an existing department or program cabinet
12.028	Governor and other elected state executive officers may submit reorganizational plans to the General Assembly
12.040	Heads of departments appointed by Governor
12.050	Deputy heads of departments and division directors appointed with written approval of Governor

- 12.080 Administrative rules to be prescribed by Governor
- 12.210 Governor's approval required for attorneys employed for certain legal services
- 13A.190 Executive department emergency administrative order countersigned by Governor
- 13A.200 Administrative regulations in contemplation of a statute - Governor's approval and signature required
- 14.020 Assistant Secretary of State may be employed with Governor's approval
- 18A.1132 Lay-off plan requires Governor's approval
- 18A.155 Leaves of absence, with or without pay, or reduced pay for unclassified employees, after approval by Governor
- 18A.190 Governor to designate "extra day" state holidays
- 35.025 Dismissal of commissioned officers written orders issued by Governor
- 37.310 Legal representation for member of active militia - Governor's approval
- 38.090 In emergency, enlistments in Kentucky National Guard may be extended with order of Governor
- 38.130 Findings in courts-martial to be approved by Governor
- 39A.100 State of emergency, declaration by Governor in writing
- 39A.160 Witnesses compelled to testify regarding state of emergency upon written approval of Governor
- 39A.170 Governor to authorize any division or agency to lease any real or personal property to federal government during state of emergency
- 39A.260 Mutual aid agreements with other states permitted upon written approval of Governor
- 40.210 Tax-exempt charter bonds signed by Governor and State Treasurer
- 41.050 Suspension of the Treasurer
- 41.060 Governor's approval required for Assistant State Treasurer to discharge duties of Treasurer

- 42.0145 Governor's approval required for deputy secretary of Finance and Administration
- 45.251 Governor to designate the officer or employee authorized to sign advices of employment, purchase orders, etc.
- 45.340 Checks for salaries, when to be issued - Governor's approval required
- 45A.045 Disposal of property of the state/acquisition of real property - Governor's approval required
- 46.010 Changes in uniform system of accounting and reporting of state funds by local officers - Governor's approval required
- 48.110 Executive Branch Budget recommendations to be signed by Governor
- 48.620 Revision of budget allotment schedule upon written certification of Governor
- 56.450 Designation of alternate to serve on State Property and Buildings Commission upon written notification by Governor
- 56.510 Conveyance of title of industrial development projects subject to approval in writing by Governor
- 56.515 Leaseback agreements for fairgrounds improvements to be signed by Governor
- 56.590 Construction and financing by state of public buildings in capitol city subject to approval by Governor
- 56.805 Lease of space owned by a governmental unit or space required because of emergency - Governor's written authorization required
- 56.8161 Build-to-suit leases requiring Governor's approval
- 57.091 State printing contracts requiring Governor's approval
- 58.020 Governmental agency acquiring/developing project and issuing revenue bonds - Governor's approval
- 62.200 Governor to approve surety bond of the Attorney General
- 63.080 Governor may remove his appointed officers upon his approval
- 63.100 Governor to sign written charges setting forth the grounds for removal of a peace officer

- 63.110 Removal of officers from office upon signed letter of Governor and recorded in executive journal
- 63.140 Governor to issue proclamation removing peace officer for losing custody of prisoner
- 64.640 Compensation schedule for state employees - Governor's approval
- 64.655 Compensation of physicians employed by the state - Governor's approval
- 69.010 Fees of counsel employed by Governor to be paid out of State Treasury upon voucher signed by Governor
- 118.435 Proclamation relating to time of election of presidential electors
- 118.720 Proclamation for special congressional election to be signed by Governor
- 118.730 Governor to sign writ for special election to fill vacancy in the General Assembly if General Assembly is not in session
- 134.030 Extension by proclamation of Governor of time for payment of taxes
- 146.090 Soil and conservation commission - Governor's approval
- 149.405 Entry into fields and forest lands during drought - emergency proclamation by Governor
- 150.120 Seizure and sale of contraband by commissioner of Department of Fish and Wildlife Resources - Governor's approval
- 150.250 Contract for wildlife preservation and propagation - consent of Governor
- 151.200 Declaration of water emergency by Governor
- 151.240 Water resources surveys - Governor's approval
- 151.580 Negotiations with federal agencies for maintenance of a navigable waterway - Governor's approval
- 154.50-030 Expenditure of funds for industrial improvement projects - Governor's approval
- 155.050 Business development corporations' articles of incorporation - Governor's approval
- 156.138 Duty of Attorney General to recover school funds on written recommendation of Governor

- 164.270 Sale of real estate (University of Kentucky Experiment Station) - Governor's approval
- 164.530 Governor to sign Regional Compact of Southern States for Educational Services
- 171.340 Governor may assign articles of historic interest to the Kentucky Historical Society for safekeeping
- 171.381 Heritage Council employing staff - Governor's approval
- 175.500 Turnpike Authority bonds signed by chair (Governor)
- 176.020 Appointment of state highway engineer by Commissioner of Highways - Governor's prior approval
- 176.055 Department of Highways expenditure of funds for dissemination of information - Governor's approval
- 182.300 Tennessee-Tombigbee Waterway Development Compact - Governor authorized to execute and withdraw
- 183.630 Transportation Cabinet borrowing money and issuing bonds for airport purposes Governor's approval
- 196.073 Transfer of convicted offenders under federal treaty - authorized by Governor
- 196.120 Department of Corrections leasing farm lands with approval of Governor
- 197.160 Contracts allowing state prisoners to be employed by other state agencies - Governor's approval
- 205.290 Disbursement of revolving fund by secretary of Cabinet for Health and Family Services - Governor's approval
- 211.160 Service to handicapped persons furnished to Cabinet for Health and Family Services - written request by Governor
- 211.852 Building of nuclear waste disposal facilities - upon approval of Governor (and others)
- 211.896 Reopening a closed nuclear waste disposal facility - upon written approval of Governor (and others)
- 216B.015 State health plan - Governor's approval

- 224.43-815 Regional integrated waste facility - Governor's approval
- 230.3751 Compact regarding Licensure of Participants in Live Racing with Pari-mutuel wagering - Governor authorized to execute
- 247.130 Director of Division for Personnel Management and Staff Development of State Fair Board - prior written approval of Governor
- 278.120 Executive director of Public Service Commission paid salary fixed by the commission - approval by Governor
- 304.25-070 Governor's authority to declare "acute emergency" for purposes of Insurance Code
- 315.155 Governor's removal of a member of the Kentucky Board of Pharmacy
- 336.030 Commissioner of Department of Labor to appoint personnel and fix salaries according to law - with Governor's approval
- 336.120 Cooperative agreements between Department of Labor and federal agencies - approval of Governor
- 350.156 Transfer by Environmental and Public Protection Cabinet of jurisdiction of restored surface mined land to state agency or sale to political subdivision - approval of Governor
- 351.090 Governor to appoint mine inspectors and approve their bonds with surety
- 422.132 Presumption of death following catastrophic event - certified by Governor
- 431.213 Governor or Supreme Court to set the date of execution of a condemned person
- 431.240 Governor to fix time of condemned person's execution in case of insanity, escape, or pregnancy after sanity is restored, person is recaptured, or baby is delivered
- 433.255 Governor's proclamation offering reward for apprehension and conviction of cattle thief
- 439.561 Governor authorized and directed to execute Interstate Compact for Adult Offender Supervision
- 440.090 Fugitive from justice - Governor to seek requisition upon another governor in writing
- 440.100 Governor's proclamation of reward for apprehension of fugitive

- 440.220 Warrant of arrest under Uniform Criminal Extradition Act - signed by Governor
- 440.300 Warrant of arrest for persons on bail under Uniform Criminal Extradition Act - signed by Governor

Appendix F

Kentucky Congressional Delegation

United States Representative Harold Rogers

Republican

5th District

Began Service 1980

2406 Rayburn House Office Building
Washington, DC 20515
(202) 225-4601

Born: December 31, 1937
Home: Somerset
Education: University of Kentucky, BA; LLB

Key Staff Aides

Name	Position
William Smith	Chief of Staff
Jim Pettit	Communications Director
Patricia Radford	Scheduler
Megan O'Donnell	Legislative Correspondent
Julia Casey	Office Manager
Aaron Jones	Staff Assistant/Tour Coordinator
Michael Higdon	Legislative Director
Victoria Ewing	Legislative Assistant
Kristen Moore	Legislative Assistant

Committee Assignments

Appropriations Committee
Homeland Security Subcommittee
House Republican Steering Committee

Main District Office

551 Clifty St.
Somerset, KY 42501 (606) 679-8346

United States Representative Ron Lewis

Republican

2nd District

Began Service 1994

2418 Rayburn House Office Building
Washington, DC 20515
(202) 225-3501

Born: September 14, 1946
Home: Cecilia
Education: University of Kentucky, BA;
Morehead State University, MA

Key Staff Aides

Name	Position
Daniel London	Chief of Staff
Lindy Salen	Scheduler
Eric Bergren	Legislative Director
Megan Spindel	Legislative Assistant
Kevin Modlin	Legislative Assistant
John Connell	Legislative Assistant
Mike Dodge	Press Secretary
Will Carraco	Staff Assistant

Committee Assignments

Ways and Means Committee

Main District Office

1690 Ring Rd., Ste. 260
Elizabethtown, KY 42701 (270) 765-4360

United States Representative Ed Whitfield

Republican

1st District

Began Service 1995

2411 Rayburn House Office Building
Washington, DC 20515
(202) 225-3115

Born: May 25, 1943
Home: Hopkinsville
Education: University of Kentucky, BS, JD

Key Staff Aides

Name	Position
John Sparkman	Chief of Staff
Cory Hicks	Legislative Director
Derek Fink	Press Secretary
Jeff Mortier	Legislative Assistant
James Robertson	Legislative Assistant
Elizabeth Leasure	Scheduler
Craley Funsgeld	Legislative Correspondent
Justin Sok	Staff Assistant

Committee Assignments

Energy and Commerce Committee

Main District Office

1403 S. Main Street
Hopkinsville, KY 42240 (270) 885-8079

United States Representative Ben Chandler

Democrat

6th District

Began Service 2004

1504 Longworth House Office Building
Washington, DC 20515
(202) 225-4706

Born: September 12, 1959
Home: Versailles
Education: University of Kentucky, BA; JD

Key Staff Aides

Name	Position
Denis Fleming	Chief of Staff
Jim Creevy	Legislative Director
Stephanie Pepper	Communications Director
Nicole Anderson	Legislative Assistant
Amy Hille	Legislative Assistant
Jennifer Prather	Legislative Assistant
Sarah Stoll	Legislative Correspondent
Will Coffman	Scheduler

Committee Assignments

Appropriations Committee
Science and Technology Committee

Main District Office

1021 Majestic Drive, Ste. 180
Lexington, KY 40513 (859) 219-1366

United States Representative Geoff Davis
Minority Deputy Whip

Republican

4th District

Began Service 2005

1108 Longworth House Office Building
Washington, DC 20515
(202) 225-3465

Born: October 26, 1958
Home: Hebron
Education: West Point, BS

Key Staff Aides

Name	Position
Armstrong Robinson	Chief of Staff
Lindsey Vogt	Scheduler/Office Manager
LTC. Dan Adelstein	National Security Assistant
Maggie Sheely	Legislative Correspondent
Amanda Keating	Communications Director

Committee Assignments

Armed Services Committee
Financial Services Committee

Main District Office

277 Buttermilk Pike
Fort Mitchell, KY 41017 (859) 426-0080

United States Representative John A. Yarmuth
At-large Majority Whip

Democrat

3rd District

Began Service 2007

319 Cannon House Office Building
Washington, DC 20515
(202) 225-5401

Born: November 4, 1947
Home: Louisville
Education: Yale, BA

Key Staff Aides

Name	Position
Julie Carr	Chief of Staff
Lillian Pace	Legislative Director
Stuart Perelmuter	Press Secretary
Carolyn Cowan	Legislative Assistant
Ashley Bromagen	Legislative Assistant
Kiran Bhatraju	Legislative Assistant
Carolyn Tandy	District Director
Elizabeth Sawyer	Staff Assistant
Keidra King	Scheduler

Committee Assignments

Education and Labor Committee
Oversight and Government Reform Committee

Main District Office

Romano Mazzoli Federal Building
600 Martin Luther King, Jr. Place, Ste. 216
Louisville, KY 40202 (502) 582-5129

United States Senator Mitch McConnell
Senate Minority Leader

Republican

Began Service 1984

361-A Russell Senate Office Building
Washington, DC 20510
(202) 224-2541

Born: February 20, 1942
Home: Louisville
Education: University of Louisville, BA;
University of Kentucky, JD

Key Staff Aides

Name	Position
Billy Piper	Chief of Staff
Kyle Simmons	Chief of Staff (Leadership Office)
Robert Steurer	Press Secretary
Lee Smith	Scheduler
Brytt Brooks	Legislative Assistant
Fred Karem	Legislative Assistant
Scott Raab	Legislative Director
Allison Thompson	Legislative Assistant

Committee Assignments

Agriculture, Nutrition, and Forestry Committee
Appropriations Committee
Rules and Administration Committee
Select Committee on Intelligence, Ex officio

Main District Office

601 W. Broadway, #630
Louisville, KY 40202 (502) 582-6304

United States Senator Jim Bunning

Republican

Began Service 1998

316 Hart Senate Building
Washington, DC 20510
(202) 224-4343

Born: October 23, 1931
Home: Southgate
Education: Xavier University, BS

Key Staff Aides

Name	Position
Blake Brickman	Chief of Staff
Mike Reynard	Press Secretary
Kara Kirtley	Scheduler
Kim Dean	Legislative Director
Kimberly Levernier	Administrative Director

Committee Assignments

Banking, Housing and Urban Affairs Committee
Senate Budget Committee
Energy and Natural Resources Committee
Finance Committee

Main District Office

1717 Dixie Highway, Ste. 220
Ft. Wright, KY 41011 (859) 341-2602