

CHAPTER 2

(HB 4)

AN ACT amending the 2008-2010 branch budget bills, making an appropriation therefor, and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. 2008 Kentucky Acts Chapter 127, Part VI, B. Fiscal Year 2009-2010 General Fund Budget Reduction Plan, at page 597, as amended by 2009 Kentucky Acts Chapter 1 is further amended to read as follows:

B. FISCAL YEAR 2009-2010 GENERAL FUND BUDGET REDUCTION PLAN

~~Notwithstanding~~ ~~Pursuant to~~ KRS 48.130 and 48.600, *as amended by 2009 Ky. Acts ch. 78, secs. 6 and 14*, a General Fund Budget Reduction Plan is enacted for fiscal year 2009-2010 for state government in the event of an actual or projected deficit in estimated General Fund revenue receipts of ~~\$9,417,589,000~~ ~~[\$9,258,789,000]~~ in fiscal year 2009-2010 as modified by related Acts and actions of the General Assembly in an extraordinary or regular session. ~~Direct services, obligations essential to the minimum level of constitutional functions, and other items that may be specified in this Act, are exempt from the requirements of this Plan. Each branch head shall prepare a specific plan to address a proportionate share of the General Fund revenue shortfall applicable to the respective branch. No budget revision action shall be taken by a branch head in excess of the actual or projected deficit.~~

The Governor, the Chief Justice, and the Legislative Research Commission shall direct and implement reductions in appropriations and allotments only for their respective branch budget units as may be necessary, as well as take other measures which shall be consistent with the provisions of this Subpart and general branch budget bills.

Given a fiscal year 2009-2010 revenue shortfall of greater than five percent, the General Assembly directs that ~~In the event of a revenue shortfall under the provisions of KRS 48.120,~~ General Fund budget reduction actions shall be implemented in the following sequence:

(1) The Local Government Economic Assistance and the Local Government Economic Development Funds shall be adjusted by the Secretary of the Finance and Administration Cabinet to equal revised estimates of receipts pursuant to KRS 42.4582 as modified by the provisions of this Act;

(2) ~~Application of unbudgeted surplus from the previous fiscal year and~~ Transfers of excess unappropriated Restricted Funds, other than fiduciary funds, *to the General Fund* shall be applied as determined by the head of each branch for its respective budget units. *No transfers to the General Fund shall be made from the following:*

- (a) *Local Government Economic Assistance and Local Government Economic Development Funds;*
- (b) *Unexpended debt service from the Tobacco-Settlement Phase I Funds in fiscal year 2007-2008;*
- (c) *Tobacco Unbudgeted Interest Income-Rural Development Trust Fund; and*
- (d) *Multi-County Coal Severance Fund;*

(3) *Any unanticipated Phase I Master Settlement Agreement revenues in fiscal year 2009-2010 shall be appropriated according to KRS 248.654. The General Fund (Tobacco) fund transfer from the Governor's Office of Agricultural Policy to the General Fund shall be limited to the amounts contained in Part V, A., 1. of this Act as adjusted in Part X, B., 1., (4) of this Act;*

(4) Funds available in the Budget Reserve Trust Fund shall be applied in an amount not to exceed 50 percent of the trust fund balance in fiscal year 2009-2010;

(5) *Any language provision that expresses legislative intent regarding a specific appropriation shall not be reduced by a greater percentage than the reduction to the General Fund appropriation for that budget unit;*

(6) *Reduce General Fund appropriations in Executive Branch agencies' operating budget units by a sufficient amount to balance fiscal year 2009-2010. No reductions of General Fund appropriations shall be made from the following budget units:*

- (a) *Local Government Economic Assistance Fund;*

- (b) *Local Government Economic Development Fund; and*
- (c) *Property Valuation Administrators.*

~~(7)(4)~~ Excess General Fund appropriations which accrue as a result of personnel vacancies and turnover, and reduced requirements for operating expenses, grants, and capital outlay shall be determined and applied by the heads of the executive, judicial, and legislative departments of state government for their respective branches. The branch heads shall certify the available amounts which shall be applied to budget units within the respective branches and shall promptly transmit the certification to the Secretary of the Finance and Administration Cabinet and the Legislative Research Commission. The Secretary of the Finance and Administration Cabinet shall execute the certified actions as transmitted by the branch heads.

Branch heads shall take care, by their respective actions, to protect, preserve, and advance the fundamental health, safety, legal and social welfare, and educational well-being of the citizens of the Commonwealth; and

~~(8)(5)~~ *If the actions contained in subsections (1) to (7) of this Subpart are insufficient to eliminate a revenue shortfall in the General Fund, then the Governor is empowered and directed to take necessary actions with respect to the Executive Branch budget units to balance the budget by such actions conforming with the criteria expressed in this Subpart.* ~~[Notwithstanding KRS 48.130 and 48.600, if the actions contained in subsections (1) to (4) of this Subpart are insufficient to eliminate an actual or projected revenue shortfall of five percent or less in aggregate in the enacted General Fund revenue receipts, then the Governor is empowered and directed to take necessary actions with respect to the Executive Branch budget units to balance the budget by such actions conforming with the criteria expressed in this Subpart. If the actual or projected revenue shortfall is greater than five percent in aggregate, the Governor is not empowered nor directed to take necessary actions with respect to the Executive Branch budget units to balance the budget by such actions conforming with the criteria expressed in this Subpart.]~~

~~If, after passage of this Act, KRS 48.130 and 48.600 are amended, this Subpart shall be governed by KRS 48.130 and 48.600 as amended by the 2009 Regular Session of the Kentucky General Assembly.]~~

➔Section 2. 2008 Kentucky Acts Chapter 127, Part I, Operating Budget; A. General Government; 21. Unified Prosecutorial System, at pages 489 to 490, is amended to read as follows:

21. UNIFIED PROSECUTORIAL SYSTEM

(1) **Prosecutors Advisory Council Administrative Functions:** The Prosecutors Advisory Council shall approve compensation for employees of the Unified Prosecutorial System subject to the appropriations in this Act.

a. Commonwealth’s Attorneys

	2008-09	2009-10
General Fund	33,147,800 35,439,100 {33,147,800}	33,147,800
Restricted Funds	1,484,800	1,557,600
Federal Funds	97,800	114,300
TOTAL	34,730,400 37,111,000 {34,819,700}	34,819,700

b. County Attorneys

	2008-09	2009-10
General Fund	28,153,200 30,360,300 {28,153,200}	28,153,200
Restricted Funds	303,700	303,700
Federal Funds	570,200	584,700
TOTAL	29,027,100 31,248,700 {29,041,600}	29,041,600

TOTAL – UNIFIED PROSECUTORIAL SYSTEM

	2008-09	2009-10
General Fund	61,301,000 65,799,400 {61,301,000}	61,301,000
Restricted Funds	1,788,500	1,861,300
Federal Funds	668,000	699,000

TOTAL 63,757,500~~68,359,700~~~~[63,861,300]~~

➔Section 3. 2008 Kentucky Acts Chapter 127, Part I, Operating Budget; B. Commerce Cabinet; 4. Parks, at page 498, is amended to read as follows:

4. PARKS

	2007-08	2008-09	2009-10
General Fund	5,000,000	30,045,900 35,259,100 [30,315,900]	
Restricted Funds	-0-	56,957,600	57,197,600
TOTAL	5,000,000	87,003,500 92,456,700 [87,513,500]	

(1) **Park Capital Maintenance and Renovation Fund:** Notwithstanding KRS 148.810, no transfer to the Park Capital Maintenance and Renovation Fund shall be made.

(2) **Debt Service:** Included in the above General Fund appropriation is \$270,000 in fiscal year 2009-2010 for new debt service to support new bonds as set forth in Part II, Capital Projects Budget, of this Act.

➔Section 4. 2008 Kentucky Acts Chapter 127, Part I, Operating Budget; C. Economic Development Cabinet; 3. Financial Incentives, after (3) Metropolitan College, at page 500, is amended by inserting the following:

(4) **Transfer of Property:** *The General Assembly hereby approves and concurs in the transfer or lease of approximately 1,550 acres, known as the Glendale site, for which funding was provided by and through the Kentucky Economic Development Finance Authority to the Hardin County Fiscal Court, to be used for a single manufacturing or industrial facility or operation and supporting or associated facilities provided the property shall not be subdivided or subleased for unrelated uses.*

➔Section 5. 2008 Kentucky Acts Chapter 127, Part I, Operating Budget; D. Department of Education; 4. Support Education Excellence in Kentucky (SEEK) Program; (8) Allocation of SEEK Funds, at page 505, is amended to read as follows:

(8) **Allocation of SEEK Funds:** Notwithstanding KRS 157.360(2)(c), the above appropriation to the base SEEK Program is intended to provide a base guarantee of \$3,866 per student in average daily attendance in fiscal year 2008-2009. *Notwithstanding KRS 157.360(2)(c) and 157.420(2), the combination of appropriations from the General Fund and Federal Funds from the State Fiscal Stabilization Fund to the base SEEK Program is intended to provide a base guarantee of \$3,866~~and \$3,909~~* per student in average daily attendance in fiscal year 2009-2010 as well as to meet the other requirements of KRS 157.360.

Funds appropriated to the SEEK Program shall be allotted to school districts in accordance with KRS 157.310 to 157.440, except that the total of the funds allotted shall not exceed the appropriations for this purpose, except as provided in this Act. The total appropriation for the SEEK Program shall be measured by, or construed as, estimates of the state expenditures required by KRS 157.310 to 157.440. If the required expenditures exceed these estimates, the Secretary of the Finance and Administration Cabinet, upon the written request of the Commissioner of Education and with the approval of the Governor, may increase the appropriation by such amount as may be available and necessary to meet, to the extent possible, the required expenditures under the cited sections of the Kentucky Revised Statutes, but any increase of the total appropriation to the SEEK Program is subject to Part III, General Provisions, of this Act and the provisions of KRS Chapter 48. If funds appropriated to the SEEK Program are insufficient to provide the amount of money required under KRS 157.310 to 157.440, allotments to local school districts may be reduced in accordance with KRS 157.430.

➔Section 6. 2008 Kentucky Acts Chapter 127, Part I, Operating Budget; D. Department of Education; 4. Support Education Excellence in Kentucky (SEEK) Program, after (17) Use of SEEK Funds, at page 507, is amended by inserting the following:

(18) **Use of Excess SEEK Funds in Fiscal Year 2009-2010:** *If excess funds are available after the final SEEK calculation in fiscal year 2009-2010, these and all available funds shall be distributed to school districts in accordance with KRS 157.310 to 157.440, as amended by 2009 Ky. Acts ch. 53, secs. 1 and 2, ch. 74, secs. 1 and 2, and ch. 88, sec. 4, notwithstanding KRS 157.360(2)(c).*

(19) **School District Flexibility:** *Notwithstanding KRS 160.470(6)(a), a district board of education may adopt a tentative working budget that does not include a minimum reserve of two percent of the total budget. Notwithstanding KRS 157.420(4) and (6), as amended by 2009 Ky. Acts ch. 53, sec. 1 and ch. 74, sec. 2, a local*

school district may submit a request for approval to the Commissioner of Education to use capital outlay funds for general operating expenses in fiscal year 2009-2010 without forfeiture of the district's participation in the School Facilities Construction Commission Program.

➔Section 7. 2008 Kentucky Acts Chapter 127, Part I, Operating Budget; E. Education Cabinet; 7. Employment and Training, at pages 508 to 509, is amended to read as follows:

7. EMPLOYMENT AND TRAINING

	2008-09	2009-10
Restricted Funds	2,665,800	2,368,800
Federal Funds	668,384,400 866,007,100	666,007,100
TOTAL	671,050,200 868,375,900	668,375,900

(1) **Unemployment Insurance Penalty and Interest Account:** Notwithstanding KRS 341.835, up to \$3,000,000 from the Unemployment Insurance Penalty and Interest Account in the Unemployment Compensation Administration Fund may be used during each fiscal year by the Office of Employment and Training to operate employment, training, and unemployment insurance programs and up to \$750,000 shall be transferred in fiscal year 2008-2009 and fiscal year 2009-2010 to the General Administration and Program Support budget unit of the Education Cabinet to aid in the support of the Office of Employment and Training programs.

(2) **Total Unemployment Rate:** *Notwithstanding KRS 341.094(2) and 341.730, the language set forth in 787 KAR 1:330E shall be the basis for the total rate of unemployment and for the total extended benefit amount. Notwithstanding KRS 341.096(1)(a), 20 C.F.R. 615.12(c)(1) shall be the numerator for calculating the rate of insured unemployment.*

➔Section 8. 2008 Kentucky Acts Chapter 127, Part I, Operating Budget; F. Environmental and Public Protection Cabinet; 15. Horse Racing Authority, at page 513, is amended to read as follows:

15. HORSE RACING AUTHORITY

	2008-09	2009-10
General Fund	443,700	3,106,800 443,700
Restricted Funds	28,010,000	27,934,600
TOTAL	28,453,700 31,041,400	28,378,300

➔Section 9. 2008 Kentucky Acts Chapter 127, Part I, Operating Budget; F. Environmental and Public Protection Cabinet; 20. Public Service Commission, at page 514, is amended to read as follows:

20. PUBLIC SERVICE COMMISSION

	2008-09	2009-10
General Fund	13,000,000	13,000,000
Restricted Funds	840,900	840,900
Federal Funds	218,300	218,300
TOTAL	14,059,200	14,059,200

(1) **Debt Service:** Included in the above General Fund appropriation is \$589,000 in fiscal year 2008-2009 and \$589,000 in fiscal year 2009-2010 for debt service for previously issued bonds.

(2) **Lapse of General Fund Appropriation Balance:** Notwithstanding KRS 278.150(3), \$2,860,700 in fiscal year 2008-2009 and \$2,610,700 in fiscal year 2009-2010 shall lapse to the credit of the General Fund.

(3) **Telecommunication Access Program:** Notwithstanding KRS 278.5499, the funding mechanism for the telecommunication device for the deaf distribution program shall allocate not more than two cents per access line per month.

(4) **Water District Board Membership:** *Notwithstanding KRS 74.020(1)(a), members of a water district's board of commissioners shall be residents or customers of the district, or of any incorporated or unincorporated*

area served by the district in the county in which the district was originally established, who shall be appointed by the county judge/executive with the approval of the fiscal court.

➔Section 10. 2008 Kentucky Acts Chapter 127, Part I, Operating Budget; G. Finance and Administration Cabinet; 7. Revenue, at page 517, is amended to read as follows:

7. REVENUE

	2008-09	2009-10
General Fund (Tobacco)	275,000	275,000
General Fund	69,397,300	71,363,400
Restricted Funds	7,216,300	7,201,700
Road Fund	2,325,000	2,325,000
TOTAL	79,213,600	81,165,100

(1) **Insurance Surcharge Rate:** Pursuant to KRS 136.392, the insurance surcharge rate shall be calculated at a rate to provide sufficient funds in the 2008-2010 fiscal biennium for the Firefighters Foundation Program Fund and the Kentucky Law Enforcement Foundation Program Fund. The calculation of sufficient funds for the above-named programs shall include any Restricted Funds carried forward from fiscal years 2007-2008 and 2008-2009 as provided by the General Assembly in this Act.

(2) **Road Fund Compliance and Motor Vehicle Property Tax Programs:** The above Road Fund appropriation in each fiscal year represents the cost of the Road Fund Compliance and Motor Vehicle Property Tax Programs within the Department of Revenue and is to be used exclusively for that purpose.

(3) **Operations of Revenue:** Notwithstanding KRS 132.672, 136.652, 160.6154, and 365.390(2), funds may be expended in support of the operations of the Department of Revenue.

➔Section 11. 2008 Kentucky Acts Chapter 127, Part I, Operating Budget; I. Justice and Public Safety Cabinet; 1. Justice Administration; after (7) Civil Legal Services for Indigents, at page 525, is amended by inserting the following:

(8) *Unexpended Restricted Funds: Notwithstanding KRS 42.4588, unexpended funds from the fiscal year 2007-2008 Restricted Funds appropriation for Operation Unite as set out in 2006 Ky. Acts ch. 252, Part I, I, 1., (4) shall now be appropriated in fiscal year 2009-2010 for Operation Unite.*

➔Section 12. 2008 Kentucky Acts Chapter 127, Part I, Operating Budget; I. Justice and Public Safety Cabinet; 7. Public Advocacy, at page 529, is amended to read as follows:

7. PUBLIC ADVOCACY

	2007-08	2008-09	2009-10
General Fund	1,801,000	31,741,100	35,679,400
Restricted Funds	35,200	4,301,900	4,300,000
Federal Funds	-0-	1,783,300	1,661,100
TOTAL	1,836,200	37,826,300	41,640,500

(1) **Compensatory Leave Conversion to Sick Leave:** If the Department of Public Advocacy determines that internal budgetary pressures warrant further austerity measures, the Public Advocate may institute a policy to suspend payment of 50 hour blocks of compensatory time for those attorneys who have accumulated 240 hours of compensatory time and instead convert those hours to sick leave.

(2) **Lexington Public Defender's Office:** Included in the above General Fund appropriation is \$1,570,000 in fiscal year 2007-2008 and \$1,570,000 in each fiscal year of the 2008-2010 biennium for the operation of the Lexington Public Defender's Office.

➔Section 13. 2008 Kentucky Acts Chapter 127, Part II, Capital Projects Budget; A. General Government; 4. Kentucky Infrastructure Authority, at pages 544 and 545, as amended by 2008 Kentucky Acts Chapters 123 and 174, is further amended to read as follows:

4. KENTUCKY INFRASTRUCTURE AUTHORITY**001. KIA Fund F - Drinking Water Revolving Loan Program**

Bond Funds	4,000,000	-0-
Agency Bonds	30,000,000	-0-
TOTAL	34,000,000	-0-

(1) **Permitted Use of Funds:** The bond funds shall be used to meet the state match requirement for federal funds for the Drinking Water Revolving Loan Program.

(2) **Agency Bond Debt Service:** The Kentucky Infrastructure Authority is hereby authorized to expend loan repayment receipts on deposit at the trustee bank for the Drinking Water Revolving Loan Program to support the KIA Fund F Agency Bonds authorized above for projects as provided pursuant to KRS 224A.1115.

002. KIA Fund A - Federally Assisted Wastewater Program

Bond Funds	4,000,000	-0-
Agency Bonds	200,000,000	-0-
TOTAL	204,000,000	-0-

(1) **Permitted Use of Funds:** The bond funds shall be used to meet the state match requirement for federal funds for the Wastewater Revolving Loan Program.

(2) **Agency Bond Debt Service:** The Kentucky Infrastructure Authority is hereby authorized to expend loan repayment receipts on deposit at the trustee bank for the Wastewater Revolving Loan Program to support the KIA Fund A Agency Bonds authorized above for projects as provided pursuant to KRS 224A.111.

003. Hardin County Water District #2 - WX21093035 - Louisville Water

Wholesale Interconnect Project Reauthorization and Reallocation (\$500,000 Bond Funds)

(1) **Reauthorization and Reallocation:** The above project is authorized from a reallocation of the Hardin County Water District #2 - WX21093009 - Cecilia Water Storage Tank project as set forth in 2006 Ky. Acts ch. 252, Part II, O., Hardin County, 009.

004. Infrastructure for Economic Development Fund for Coal-Producing Counties

Bond Funds	75,000,000	-0-
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(1) **Specific Project Designation Required:** The issuance of bonds authorized above shall not occur unless specific projects are identified through further action of the General Assembly. If the General Assembly fails to identify specific projects, the bonds authorized above shall not be issued.

005. Infrastructure for Economic Development Fund for Non-Coal Producing Counties

Bond Funds	150,000,000	-0-
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(1) **Specific Project Designation Required:** The issuance of bonds authorized above shall not occur unless specific projects are identified through further action of the General Assembly. If the General Assembly fails to identify specific projects, the bonds authorized above shall not be issued.

006. Knox County Utilities Commission - Fawn Branch Water Project

Reauthorization and Reallocation (\$40,000 Bond Funds)

(1) **Reauthorization and Reallocation:** The above project is authorized from a reallocation of the Knox County Utility Commission - Water Line Extension for Flat Creek and Hubbs Hollow project as set forth in 2006 Ky. Acts ch. 252, Part II, N., Knox County, 008..

007. Knox County Fiscal Court - Sewer Line Extending From KY 1232 South to

By-Pass Reauthorization and Reallocation (\$202,441 Bond Funds)

(1) Reauthorization and Reallocation: The above project is authorized from a reallocation of the Knox County Fiscal Court - Water Projects project as set forth in 2003 Ky. Acts ch. 156, Part XIII, A., Knox County 47..

- 008.** London/Laurel County Industrial Development Authority - Sewer Upgrade Reauthorization and Reallocation (\$50,000 Bond Funds)
- 009.** London/Laurel County Industrial Development Authority - Building Roof Repair for Airport Business Park Reauthorization and Reallocation (\$75,000 Bond Funds)
- 010.** London/Laurel County Tourism - Fire Pump and Sprinkler System Reauthorization and Reallocation (\$150,000 Bond Funds)
- 011.** London Utility Commission - Upgrade 192 Pump Station Reauthorization and Reallocation (\$100,000 Bond Funds)
- 012.** London Utility Commission - Collector Sewer Extensions Inside City Limits Reauthorization and Reallocation (\$200,000 Bond Funds)
- 013.** Laurel Water District #2 - Water System Improvement Reauthorization and Reallocation (\$200,000 Bond Funds)
- 014.** East Laurel Water District - Sewer for Laurel County Fairgrounds and Feltner 4-H Camp - SX21125305 - Reauthorization and Reallocation (\$250,000 Bond Funds)
- 015.** East Laurel Water District - Wastewater Line Extensions #3 - SX21125303 - Reauthorization and Reallocation (\$600,000 Bond Funds)
- 016.** Laurel County Water District #2 - Water Improvement Project - WX21125555 - Reauthorization and Reallocation (\$128,000 Bond Funds)
- 017.** Wood Creek Water District - Watershed Protection #1 - WX21125542 - Reauthorization and Reallocation (\$247,000 Bond Funds)

(1) Reauthorization and Reallocation: The above projects are authorized from a reallocation of the City of London - London City Park - Capital Construction at the College Park Project as set forth in 2006 Ky. Acts ch. 252, Part II, N., Laurel County, 001..

**018. Kentucky River Authority - Bluegrass Water Supply Commission
Engineering and Planning of Regional Water Supply Improvements
Reauthorization and Reallocation (\$900,000 Bond Funds)**

(1) Reauthorization and Reallocation: *The above project is authorized from a reallocation of the Kentucky River Authority – Bluegrass Water Supply Commission – Water Project Engineering project as set forth in 2006 Ky. Acts ch. 252, Part II, O., Multi County, 001.. It is the intent of the General Assembly that this authorization may be used to refinance prior obligations for engineering and planning expenses for regional water supply improvements.*

➔Section 14. 2008 Kentucky Acts Chapter 127, Part II, Capital Projects Budget; G. Finance and Administration Cabinet; 2. Facilities and Support Services, at page 550, is amended to read as follows:

2. FACILITIES AND SUPPORT SERVICES

- 001.** Maintenance Pool - 2008-2010
Bond Funds 6,000,000 -0-
- 002.** Emergency Repair, Maintenance, and Replacement Account

Capital Construction Surplus	2,500,000	-0-
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003. Guaranteed Energy Savings Performance Contracts

➔Section 15. 2008 Kentucky Acts Chapter 127, Part II, Capital Projects Budget; H. Health and Family Services Cabinet; 2. Mental Health and Mental Retardation Services, at page 551, is amended to read as follows:

2. MENTAL HEALTH AND MENTAL RETARDATION SERVICES

001. Fayette County - Lease

002. Franklin County - Lease

003. Construct Hazelwood Intermediate Care Facility for the Mentally Retarded/Developmentally Disabled

Bond Funds	10,000,000	-0-
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(1) Site Preparation: The Part I, Operating Budget, for Mental Health/Mental Retardation includes \$400,000 in General Fund support in fiscal year 2008-2009 for site preparation of the Hazelwood ICF MR/DD as set forth in Part I, H., 4., (5), of this Act.

004. Construct Replacement of Eastern State Hospital

Other Funds	129,005,000	-0-
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(1) Property Lease: The Finance and Administration Cabinet and the Cabinet for Health and Family Services are authorized to execute a long-term lease with the University of Kentucky for property at the University of Kentucky's Coldstream Research Campus on Newtown Pike in Lexington, Kentucky for the sum of one dollar per year for 99 years, on which to locate a new mental health facility to replace Eastern State Hospital.

(2) Financing, Design and Construction, and Lease-Rental Payments: The Finance and Administration Cabinet is authorized to enter into an agreement with the Lexington-Fayette Urban-County Government, or its public properties corporation, to provide the financing for a new mental health facility to replace Eastern State Hospital. The Finance and Administration Cabinet, on behalf of the Cabinet for Health and Family Services, shall procure the design and construction of a new mental health facility to replace Eastern State Hospital. The Cabinet for Health and Family Services is authorized to make lease-rental payments to the Lexington-Fayette Urban-County Government, or its public properties corporation, upon the cabinet's occupancy of the new mental health facility.

(3) Agreement Approval: Subsections (1) and (2) above are contingent upon the execution and approval by the University of Kentucky Board of Trustees, the Secretary of the Finance and Administration Cabinet on behalf of the Cabinet for Health and Family Services, and the Lexington-Fayette Urban-County Government, or its public properties corporation, of all contractual agreements required by subsections (1) and (2) above. The executed agreements shall be reported to the Interim Joint Committee on Appropriations and Revenue and the Capital Projects and Bond Oversight Committee.

(4) Vacate Facilities: The Kentucky Community and Technical College System is authorized to vacate the property on the current Bluegrass Community and Technical College, Cooper Drive Campus, located in Lexington, Kentucky, as determined and agreed to by the University of Kentucky and the Kentucky Community and Technical College System.

(5) Transfer of Existing Property: The Finance and Administration Cabinet is authorized to transfer the state property known as Eastern State Hospital, occupied by the Cabinet for Health and Family Services on West Fourth Street in Lexington, Kentucky, to the Kentucky Community and Technical College System at an appropriate time consistent with the relocation of the Cabinet for Health and Family Services' programs from that property to the new mental health facility, as determined by the Secretary of the Finance and Administration Cabinet.

(6) Project Status Report: Within 90 days of the effective date of this Act, the Finance and Administration Cabinet shall report the status of the Replacement of Eastern State Hospital project to the Interim Joint Committee on Appropriations and Revenue. Project status reports to the Interim Joint Committee on Appropriations and Revenue shall be required every six months thereafter, until project completion.

**005. Plan and Design for the Replacement of Glasgow State Nursing Facility
Reauthorization and Reallocation (\$2,000,000 Bond Funds)**

➔Section 16. 2008 Kentucky Acts Chapter 127, Part II, Capital Projects Budget; I. Justice and Public Safety Cabinet; 1. Juvenile Justice, at page 552, is amended to read as follows:

001. Maintenance Pool - 2008-2010			
Investment Income	250,000	250,000	
002. <i>Upgrade Fire Safety/Repair Morehead YDC Reauthorization (\$1,500,000 Capital Construction Surplus)</i>			

➔Section 17. 2008 Kentucky Acts Chapter 127, Part II, Capital Projects Budget; J. Postsecondary Education; 8. University of Kentucky, at pages 562 to 570, is amended to read as follows:

8. UNIVERSITY OF KENTUCKY

001. Expand Patient Care Facility - Hospital Phase III			
Restricted Funds	-0-	250,000,000	-0-
002. Lease-Purchase New Housing			
Other Funds	-0-	75,000,000	-0-
(1) Authorization: The above authorization is approved pursuant to KRS 45.763.			
003. Construct College of Medicine - Hospital Offices			
Restricted Funds	-0-	66,341,000	-0-
004. Repair, Upgrade and Expand Central Plants I			
Restricted Funds	-0-	55,000,000	-0-
005. Lease-Purchase Data Center			
Restricted Funds	-0-	40,000,000	-0-
006. Upgrade Reynolds Building			
Restricted Funds	-0-	35,000,000	-0-
007. Acquire Land			
Restricted Funds	-0-	35,000,000	-0-
008. Construct Parking Structure #9			
Other Funds	-0-	34,310,000	-0-
(1) Authorization: The above authorization is approved pursuant to KRS 45.763.			
009. Upgrade, Renovate, Improve, or Expand Research Labs			
Restricted Funds	-0-	33,500,000	-0-
010. Construct Baseball Stadium and Clubhouse			
Other Funds	0	31,900,000	0
011.] Capital Renewal Maintenance Pool			
Restricted Funds	-0-	30,000,000	-0-
011.[012.] Research Equipment Replacement Program			
Restricted Funds	-0-	30,000,000	-0-
012.[013.] Construct Cancer Treatment Facility - Hospital			
Restricted Funds	-0-	27,338,000	-0-
013.[014.] Repair, Upgrade, Improve Electrical Infrastructure			

ACTS OF THE GENERAL ASSEMBLY

	Restricted Funds	-0-	25,000,000	-0-
014.	[015.]	Repair, Upgrade, Improve Mechanical Infrastructure		
	Restricted Funds	-0-	22,800,000	-0-
015.	[016.]	Expand/Construct Parking Structure - Hospital		
	Restricted Funds	-0-	20,149,000	-0-
016.	[017.]	Repair, Upgrade, Improve Building Mechanical Systems		
	Restricted Funds	-0-	20,000,000	-0-
017.	[018.]	Lease-Purchase Digital Village Building 2		
	Restricted Funds	-0-	20,000,000	-0-
018.	[019.]	Repair, Upgrade, Improve Building Systems - Hospital		
	Restricted Funds	-0-	20,000,000	-0-
019.	[020.]	Expand/ Renovate Ambulatory Care Facility - Hospital		
	Restricted Funds	-0-	20,000,000	-0-
020.	[021.]	Expand/Renovate Kentucky Clinic - Hospital		
	Restricted Funds	-0-	20,000,000	-0-
021.	[022.]	Lease-Purchase Pollution Controls		
	Restricted Funds	-0-	19,530,000	-0-
022.	[023.]	Expand CRMS and Raymond Civil Engineering Building		
	Restricted Funds	-0-	18,550,000	-0-
023.	[024.]	Construct Track and Field Facility		
	Other Funds	-0-	17,666,000	-0-
024.	[025.]	Expand Pence Hall		
	Restricted Funds	-0-	16,000,000	-0-
025.	[026.]	Construct/Purchase Good Samaritan Medical Office Building		
	Restricted Funds	-0-	15,730,000	-0-
026.	[027.]	Upgrade Clinical Services - Hospital		
	Restricted Funds	-0-	15,000,000	-0-
027.	[028.]	Construct/Renovate Imaging Services - Kentucky Clinic		
	Restricted Funds	-0-	15,000,000	-0-
028.	[029.]	Expand and Upgrade LDDC Phase II		
	Bond Funds	-0-	20,000,000	-0-
029.	[030.]	Construct Remote Cancer Clinic - Hospital		
	Restricted Funds	-0-	12,880,000	-0-
030.	[031.]	Construct Medical Center Physical Plant Building		
	Restricted Funds	-0-	12,793,000	-0-
031.	[032.]	Improve Life Safety Project Pool 1		
	Restricted Funds	-0-	12,760,000	-0-
032.	[033.]	Purchase PACS System Pool		

Restricted Funds	-0-	10,585,000	-0-
033.[034.] Renovate/Upgrade Hospital Facilities			
Restricted Funds	-0-	10,000,000	-0-
034.[035.] Construct Equine Campus			
Other Funds	-0-	10,000,000	-0-
035.[036.] Lease-Purchase/ Upgrade Hospital IT Systems			
Restricted Funds	-0-	10,000,000	-0-
036.[037.] Lease-Purchase ERP Phase 3			
Restricted Funds	-0-	10,000,000	-0-
037.[038.] Implement Land Use Plan - Hospital			
Restricted Funds	-0-	10,000,000	-0-
038.[039.] Sanitary Sewer Expansion/Underground Utilities Expansion and Replacement			
Agency Bonds	-0-	10,000,000	-0-
039.[040.] Expand Coldstream Research Campus			
Restricted Funds	-0-	10,000,000	-0-
040.[041.] Construct Multi-Purpose Room/Stadium Kitchen Facility			
Other Funds	-0-	8,000,000	-0-
041.[042.] Renovate King Library South - 1962 Section			
Restricted Funds	-0-	8,000,000	-0-
042.[043.] Relocate Greenhouses			
Restricted Funds	-0-	7,506,000	-0-
043.[044.] Lease-Purchase Wireless/Cellular Infrastructure			
Restricted Funds	-0-	7,000,000	-0-
044.[045.] Construct Library Depository Facility			
Restricted Funds	-0-	7,000,000	-0-
045.[046.] Lease-Purchase Hospital Dining Facilities and Equipment			
Restricted Funds	-0-	7,000,000	-0-
046.[047.] Lease-Purchase High Performance Research Computers			
Restricted Funds	-0-	6,500,000	-0-
047.[048.] Lease-Purchase UK/UofL/Frankfort Research Network			
Restricted Funds	-0-	6,000,000	-0-
048.[049.] Expand and Renovate W. Kentucky Robinson Station			
Restricted Funds	-0-	6,000,000	-0-
049.[050.] Design Student Center Expansion/Renovation			
Restricted Funds	-0-	6,000,000	-0-
050.[051.] Expand CAER Laboratories			
Restricted Funds	-0-	5,000,000	-0-
051.[052.] Purchase Clinical Enterprise Data Center Hardware Pool			

ACTS OF THE GENERAL ASSEMBLY

Restricted Funds	-0-	5,000,000	-0-
052.[053.] Repair, Upgrade, Improve Building Shell Systems			
Restricted Funds	-0-	5,000,000	-0-
053.[054.] Renovate Slone Building, Phase I			
Restricted Funds	-0-	5,000,000	-0-
054.[055.] Purchase Telemedicine/Virtual ICU			
Restricted Funds	-0-	5,000,000	-0-
055.[056.] Construct Facilities Storage Building			
Restricted Funds	-0-	4,806,000	-0-
056.[057.] Expand KGS Well Sample and Core Repository			
Restricted Funds	-0-	4,741,000	-0-
057.[058.] Purchase Digital Medical Record Expansion			
Restricted Funds	-0-	4,640,000	-0-
058.[059.] Purchase Patient System Enterprise			
Restricted Funds	-0-	4,640,000	-0-
059.[060.] Convert Taylor Education Space to Offices and Classroom			
Restricted Funds	-0-	4,500,000	-0-
060.[061.] Renovate Mineral Industries Building			
Restricted Funds	-0-	4,450,000	-0-
061.[062.] Upgrade Clinic Enterprises Network - Hospital Pool			
Restricted Funds	-0-	4,250,000	-0-
062.[063.] Expand Ophthalmology Clinic - Hospital			
Restricted Funds	-0-	4,185,000	-0-
063.[064.] Construct Facilities Support Building - Hospital			
Restricted Funds	-0-	4,000,000	-0-
064.[065.] Renovate Memorial Coliseum Seating Area			
Other Funds	-0-	4,000,000	-0-
065.[066.] Renovate Funkhouser Tower			
Restricted Funds	-0-	3,900,000	-0-
066.[067.] Repair, Upgrade, Improve Building Electrical Systems			
Restricted Funds	-0-	3,745,000	-0-
067.[068.] Upgrade Support Services - Hospital			
Restricted Funds	-0-	3,500,000	-0-
068.[069.] Lease-Purchase Campus Infrastructure Upgrade			
Restricted Funds	-0-	3,500,000	-0-
069.[070.] Renovate Old Pharmacy Building for Biology, Design			
Restricted Funds	-0-	3,500,000	-0-
070.[071.] Lease-Purchase Large Scale Computing			

Restricted Funds	-0-	3,500,000	-0-
071.[072.] Lease-Purchase Data Center Hardware - Hospital Pool			
Restricted Funds	-0-	3,350,000	-0-
072.[073.] Renovate Dentistry Clinic in Kentucky Clinic			
Restricted Funds	-0-	3,320,000	-0-
073.[074.] Renovate/Expand DLAR Quarantine Facility Spindletop			
Restricted Funds	-0-	3,288,000	-0-
074.[075.] Relocate and Expand Dentistry Faculty Practice			
Restricted Funds	-0-	3,100,000	-0-
075.[076.] Renovate Nursing Building			
Restricted Funds	-0-	1,988,000	-0-
Federal Funds	-0-	1,100,000	-0-
TOTAL	-0-	3,088,000	-0-
076.[077.] Construct Golf Practice Area			
Other Funds	-0-	3,000,000	-0-
077.[078.] Renovate Dentistry Class Lab			
Restricted Funds	-0-	3,000,000	-0-
078.[079.] Construct Cancer Education Facility - Hospital			
Restricted Funds	-0-	3,000,000	-0-
079.[080.] Renovate Reynolds Building, Phase 1			
Restricted Funds	-0-	3,000,000	-0-
080.[081.] Purchase Registration and Scheduling System			
Restricted Funds	-0-	3,000,000	-0-
081.[082.] Purchase Upgrade - HIS Computing Facility			
Restricted Funds	-0-	2,900,000	-0-
082.[083.] Renovate Central Computing Facility			
Restricted Funds	-0-	2,813,000	-0-
083.[084.] Renovate Blazer Hall Cafeteria			
Agency Bonds	-0-	2,800,000	-0-
084.[085.] Construct Stadium Suite Addition			
Other Funds	-0-	2,750,000	-0-
085.[086.] Purchase Telephone System Replacement Pool			
Restricted Funds	-0-	2,700,000	-0-
086.[087.] Renovate Student Center Food Court			
Agency Bonds	-0-	2,675,000	-0-
087.[088.] Repair, Upgrade, Improve Building Elevator Systems			
Restricted Funds	-0-	2,540,000	-0-
088.[089.] Convert Hunt Morgan Space to Class Lab			

ACTS OF THE GENERAL ASSEMBLY

	Restricted Funds	-0-	2,500,000	-0-
089. [090.]	Renovate Teaching Space in the Chemistry/Physics Building			
	Restricted Funds	-0-	2,500,000	-0-
090. [091.]	Implement Medication Bar Coding System			
	Restricted Funds	-0-	2,500,000	-0-
091. [092.]	Renovate Diagnostic Treatment Services - Hospital			
	Restricted Funds	-0-	2,500,000	-0-
092. [093.]	Lease-Purchase Data Repository System			
	Restricted Funds	-0-	2,500,000	-0-
093. [094.]	Lease-Purchase Data Center Infrastructure			
	Restricted Funds	-0-	2,500,000	-0-
094. [095.]	Repair Stadium Structure			
	Other Funds	-0-	2,500,000	-0-
095. [096.]	Renovate Parking Structure #3 - Hospital			
	Restricted Funds	-0-	2,485,000	-0-
096. [097.]	Renovate Koinonia House			
	Restricted Funds	-0-	2,371,000	-0-
097. [098.]	Upgrade Critical Care Facility - Hospital			
	Restricted Funds	-0-	2,200,000	-0-
098. [099.]	Lease-Purchase Enterprise Storage System			
	Restricted Funds	-0-	2,200,000	-0-
099. [100.]	Repair, Upgrade, Improve Civil/Site Infrastructure			
	Restricted Funds	-0-	2,200,000	-0-
100. [101.]	Renovate Vivarium in Central DLAR Facility Phase II			
	Restricted Funds	-0-	2,176,000	-0-
101. [102.]	Renovate Space in McVey Hall			
	Restricted Funds	-0-	2,150,000	-0-
102. [103.]	Construct Hall of Fame Plaza			
	Other Funds	-0-	2,100,000	-0-
103. [104.]	Replace Radiology Information System			
	Restricted Funds	-0-	2,000,000	-0-
104. [105.]	Construct Physicians Services Facilities - Hospital			
	Restricted Funds	-0-	2,000,000	-0-
105. [106.]	Renovate Soccer Press Box/Seating Addition			
	Other Funds	-0-	2,000,000	-0-
106. [107.]	Lease-Purchase Remote Site Fiber			
	Restricted Funds	-0-	2,000,000	-0-
107. [108.]	Renovate Kitchen - Hospital			

Restricted Funds	-0-	2,000,000	-0-
108.[109.] Upgrade Surgical Services - Hospital			
Restricted Funds	-0-	2,000,000	-0-
109.[110.] Purchase Dentistry Billing System Phase III			
Restricted Funds	-0-	2,000,000	-0-
110.[111.] Lease-Purchase Data Storage Equipment and Software Pool			
Restricted Funds	-0-	1,950,000	-0-
111.[112.] Lease-Purchase Data Warehouse/Infrastructure			
Restricted Funds	-0-	1,800,000	-0-
112.[113.] Purchase Identity Management System			
Restricted Funds	-0-	1,750,000	-0-
113.[114.] Lease-Purchase Campus Call Center System			
Restricted Funds	-0-	1,500,000	-0-
114.[115.] Lease-Purchase Network Security Hardware			
Restricted Funds	-0-	1,500,000	-0-
115.[116.] Purchase Radiofrequency Identification System			
Restricted Funds	-0-	1,500,000	-0-
116.[117.] Purchase Managed Care Enterprise			
Restricted Funds	-0-	1,160,000	-0-
117.[118.] Purchase Upgraded Communication Infrastructure			
Restricted Funds	-0-	1,014,000	-0-
118.[119.] Renovate Office Space in Funkhouser			
Restricted Funds	-0-	1,000,000	-0-
119.[120.] Expand Clinical Enterprise Data Center Network Pool			
Restricted Funds	-0-	1,000,000	-0-
120.[121.] Renovate Third Floor Little Library			
Restricted Funds	-0-	1,000,000	-0-
121.[122.] Purchase Upgrade Integrated Library System			
Restricted Funds	-0-	1,000,000	-0-
122.[123.] Renovate Teaching Space in the Funkhouser Building			
Restricted Funds	-0-	1,000,000	-0-
123.[124.] Lease-Purchase UPS System			
Restricted Funds	-0-	941,000	-0-
124.[125.] Lease-Purchase Mainframe Computer - Hospital			
Restricted Funds	-0-	800,000	-0-
125.[126.] Purchase Upgrade for Servers			
Restricted Funds	-0-	800,000	-0-
126.[127.] Handicapped Access Pool			

ACTS OF THE GENERAL ASSEMBLY

Restricted Funds	-0-	800,000	-0-
127. [128.] Purchase Staff Scheduling System - Hospital			
Restricted Funds	-0-	750,000	-0-
128. [129.] Purchase Document Scanning System			
Restricted Funds	-0-	700,000	-0-
129. [130.] Purchase Paging Software - Hospital			
Restricted Funds	-0-	700,000	-0-
130. [131.] Purchase Police Communications Equipment			
Restricted Funds	-0-	600,000	-0-
131. [132.] Purchase Shelving for Storage Facility			
Restricted Funds	-0-	525,000	-0-
132. [133.] Install Emergency Generator Computing Facility			
Restricted Funds	-0-	500,000	-0-
133. [134.] Purchase Compact Shelving - Fine Arts Library			
Restricted Funds	-0-	500,000	-0-
134. [135.] Purchase Digital Imaging Equipment			
Restricted Funds	-0-	311,000	-0-
135. [136.] Purchase Electrospray LC Tandem Mass Spectrometer			
Restricted Funds	-0-	290,000	-0-
136. [137.] Purchase 400 MHz NMR Spectrometer			
Restricted Funds	-0-	275,000	-0-
137. [138.] Purchase Precision Machining System			
Restricted Funds	-0-	250,000	-0-
138. [139.] Purchase Physical Chemistry Teaching Laboratory			
Restricted Funds	-0-	240,000	-0-
139. [140.] Purchase Circular Dichroism Spectrometer			
Restricted Funds	-0-	210,000	-0-
140. [141.] Upgrade Audio/Visual Equipment Guignol Theatre			
Restricted Funds	-0-	210,000	-0-
141. [142.] Purchase Metabolic Instructional System			
Restricted Funds	-0-	210,000	-0-
142. [143.] Guaranteed Energy Savings Performance Contracts			
143. [144.] Lease Med College Off-Campus Clinic - Fayette County			
144. [145.] Lease Health Affairs Office #2 - Fayette County			
145. [146.] Lease - E-cavern			
146. [147.] Lease Kentucky Utilities Building - Fayette County			
147. [148.] Lease Administrative Office - Fayette County			
148. [149.] Lease Blazer Parkway - Fayette County			

149. [150.]	Lease Med Center Off-Campus Facility #1 - Fayette County			
150. [151.]	Lease Med Center Grant Project #2 - Fayette County			
151. [152.]	Lease Med Center Grants Projects #1 - Fayette County			
152. [153.]	Lease Health Affairs Office #4 - Fayette County			
153. [154.]	Health Affairs Office Lease #3 - Fayette County			
154. [155.]	Lease Health Affairs Office - Fayette County			
155. [156.]	Lease Good Sam - Hospital - Fayette County			
156. [157.]	Lease Grants Projects #2 - Fayette County			
157. [158.]	Lease Off Campus #3 - Fayette County			
158. [159.]	Lease Off Campus #2 - Fayette County			
159. [160.]	Lease Off Campus #1 - Fayette County			
160. [161.]	Lease Rural Health Expansion - Hazard Perry County			
161. [162.]	Lease Grants Projects #1 - Fayette County			
162. [163.]	Lease Med Center Off Campus Facility #2 - Fayette County			
163. [164.]	Construct Science Research Building #2 - Planning and Design			
	Restricted Funds	-0-	10,000,000	-0-
164. [165.]	Construct Gatton Building Complex - Planning and Design			
	Restricted Funds	-0-	10,000,000	-0-
165. [166.]	Lease Health Affairs Office #5 - Fayette County			
166. [167.]	Renovate 4-H Camps			
	Bond Funds	-0-	2,000,000	-0-
167.	Renovate and Upgrade Commonwealth Stadium			
	Other Funds	-0-	-0-	180,000,000
	<i>(1) Financial Obligation: All costs associated with the financing of this project shall be at the offeror's risk, and the University of Kentucky and the Commonwealth of Kentucky shall not assume any subordinate or contingent financial obligation or responsibility.</i>			
	<i>(2) The above authorization is approved pursuant to KRS 45.763.</i>			
168.	Construct Baseball Stadium			
	Other Funds	-0-	-0-	37,500,000
	<i>(1) Financial Obligation: All costs associated with the financing of this project shall be at the offeror's risk, and the University of Kentucky and the Commonwealth of Kentucky shall not assume any subordinate or contingent financial obligation or responsibility.</i>			
	<i>(2) The above authorization is approved pursuant to KRS 45.763.</i>			
169.	Expand Patient Care Facility – Hospital Phase III			
	Agency Bonds	-0-	-0-	100,000,000

➔Section 18. 2008 Kentucky Acts Chapter 127, Part II, Capital Projects Budget; J. Postsecondary Education; 11. Kentucky Community and Technical College System, at pages 580 and 581, as amended by 2008 Kentucky Acts Chapter 174 is further amended to read as follows:

11. KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM

(1) **Lexington Community College Classroom/Lab Building:** The Kentucky Community and Technical College System is authorized to construct the LCC Classroom/Lab Building appropriated in 2005 Ky. Acts ch. 173, Part II, K., 12., 019., on state property currently known as the main campus of Eastern State Hospital.

(2) **Conveyance of Property:** The Kentucky Community and Technical College System may undertake a capital construction project under the provisions of Part I, K., 11., (3), of this Act.

001.	Capital Renewal and Deferred Maintenance Pool			
	Restricted Funds	-0-	38,000,000	-0-
002.	KCTCS Property Acquisition Pool			
	Restricted Funds	-0-	5,500,000	-0-
003.	Construct Child Development Center - Henderson CTC			
	Other Funds	-0-	2,225,000	-0-
004.	Reroof and Enclose Concourses Gray Building - Madisonville CTC			
	Restricted Funds	-0-	1,700,000	-0-
005.	Purchase Multi-Engine Aircraft - Somerset CTC			
	Restricted Funds	-0-	1,645,000	-0-
006.	Construct Child Care Facility - Ashland CTC			
	Other Funds	-0-	1,628,000	-0-
007.	Master Plan Development and Upgrade Pool			
	Restricted Funds	-0-	850,000	-0-
008.	Construct Bowling Green Fire Training Center			
	Restricted Funds	-0-	830,000	-0-
009.	Construct Area 9 Training Building State Fire and Rescue - Additional			
	Restricted Funds	-0-	443,000	-0-
010.	Purchase Articulated Dump Truck - Southeast KY CTC			
	Restricted Funds	-0-	300,000	-0-
011.	Purchase Combine for Agriculture Program - Hopkinsville CTC			
	Restricted Funds	-0-	275,000	-0-
012.	Purchase D65 Crawler Tractor - Southeast KY CTC			
	Restricted Funds	-0-	200,000	-0-
013.	Purchase Horizontal Milling Machine - Hopkinsville CTC			
	Restricted Funds	-0-	200,000	-0-
014.	Maysville CTC Montgomery County Center Lease			
015.	Bullitt County Campus Lease			
016.	Advanced Manufacturing Training Center Lease			
017.	KCTCS System Office Lease-Purchase			
018.	Jefferson CTC - Jefferson Education Center Lease			
019.	Henderson CC Lease for Applied Technology			
020.	Guaranteed Energy Savings Performance Contracts			
021.	KCTCS Information Technology Infrastructure Pool			

Restricted Funds	-0-	12,000,000	-0-
022. KCTCS Equipment Pool			
Restricted Funds	-0-	20,000,000	-0-
023. LCC Classroom/Lab Building - Additional Reauthorization (\$31,741,000 Bond Funds)			
Bond Funds	-0-	4,000,000	-0-
024. Construct Community Intergenerational Center - Hazard CC			
Restricted Funds	-0-	3,900,000	-0-
025. Construct Licking Valley Center Phase II - Maysville CTC Reauthorization (\$3,459,000 Restricted Funds and \$1,500,000 Other Funds)			
026. <i>Purchase and Improve Real Property - Downtown Jefferson CTC</i>			
<i>Restricted Funds</i>	<i>-0-</i>	<i>-0-</i>	<i>10,500,000</i>

➔Section 19. 2008 Kentucky Acts Chapter 127, Part III, General Provisions; after 37. Kentucky Wine and Vine Fest, at page 588, is amended by inserting the following:

38. *Reallocation of Appropriations Among Budget Units in Fiscal Year 2009-2010: The Executive Branch shall operate within the appropriations authorized in this Act for each budget unit as prescribed by KRS 48.400 to 48.730, as amended by 2009 Ky. Acts ch. 78, secs. 12 to 18, subject to the conditions and procedures stated in this section or other Parts of this Act.*

The Secretary of a Cabinet and the Commissioner of the Department of Education may request a revision or reallocation among budget units under their administrative authority of up to ten percent of General Fund or Restricted Funds appropriations contained in Part I, Operating Budget, of this Act for fiscal year 2009-2010. No request shall relate to moneys in a fiduciary fund account unless the account is affected by a reorganization order promulgated under KRS 12.027. Any request which shall be submitted to and, if authorized by the State Budget Director, shall be implemented and executed prior to June 30, 2010. A request shall explain the need and use for the transfer authority under this section.

The State Budget Director shall report a revision or transfer made under this section, in writing, to the Interim Joint Committee on Appropriations and Revenue at least 30 days prior to the proposed transfer. The Committee shall review the transfer in the same manner and procedure as provided for an interim unbudgeted appropriation action under KRS 48.630.

39. *Reauthorization and Reallocation: The project as set forth in 2006 Ky. Acts ch. 252, Part II, P., Breathitt County, 001. is reauthorized and reallocated such that the Office of the Secretary of the Commerce Cabinet shall be the recipient and shall implement the same purpose and location of the project.*

➔Section 20. 2008 Kentucky Acts Chapter 127, Part VIII, B. Fiscal Year 2009-2010 Road Fund Budget Reduction Plan, at page 599, as amended by 2009 Kentucky Acts Chapter 94 is further amended to read as follows:

B. FISCAL YEAR 2009-2010 ROAD FUND BUDGET REDUCTION PLAN

Notwithstanding KRS 48.130 and 48.600, *as amended by 2009 Ky. Acts ch. 78, secs. 6 and 14*, a Road Fund Budget Reduction Plan is enacted for fiscal year 2009-2010 in the event of an actual or projected shortfall in estimated Road Fund revenue receipts of \$1,405,103,400 in fiscal year 2009-2010, as may be modified by related Acts and actions of the General Assembly in an extraordinary or regular session. *Given a fiscal year 2009-2010 revenue shortfall of greater than five percent, the Governor shall implement sufficient reductions as may be required to protect the highest possible level of service.*

~~[If the actual or projected revenue shortfall is five percent or less in aggregate in the enacted Road Fund revenue receipts, the Governor shall implement sufficient reductions as may be required to protect the highest possible level of service. If the actual or projected revenue shortfall is greater than five percent in aggregate, the Governor is not empowered nor directed to take necessary actions with respect to the Transportation Cabinet's budget units to balance the budget.]~~

➔Section 21. 2008 Kentucky Acts Chapter 127, at page 611, after Part XV, Judicial Branch Fund Transfer, as amended by 2009 Kentucky Acts Chapter 1 is further amended to read as follows:

PART XVI

LEGISLATIVE BRANCH GENERAL FUND TRANSFER

The Legislative Branch shall transfer \$2,648,000 to the General Fund in fiscal year 2009-2010.

PART XVII

JUDICIAL BRANCH GENERAL FUND TRANSFER

The Judicial Branch shall transfer \$22,664,100 to the General Fund in fiscal year 2009-2010.

➔Section 22. Whereas the Commonwealth of Kentucky is facing a projected revenue shortfall, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming law.

Signed by the Governor June 26, 2009.