

1 AN ACT making appropriations for the operations, maintenance, and support of the
 2 Legislative Branch of the Commonwealth of Kentucky.

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

4 ➔Section 1. The Legislative Branch Budget is as follows:

5 **PART I**
 6 **OPERATING BUDGET**

7 **Funds Appropriations:** Notwithstanding KRS 48.110, 48.300, and any other
 8 statute to the contrary, funds are appropriated to the Legislative Research Commission for
 9 the Legislative Branch of government out of the General Fund and Restricted Funds
 10 accounts for the fiscal year beginning July 1, 2020, and ending June 30, 2021, in the
 11 following discrete sums, or so much thereof as may be necessary. Each appropriation is
 12 made by the source of respective fund or funds accounts to be used for the purposes of the
 13 Legislative Branch of government of the Commonwealth of Kentucky.

	2020-21	2021-22
14		
15 1. General Assembly		
16 General Fund	19,020,700	-0-
17 Restricted Funds	75,000	-0-
18 TOTAL	19,095,700	-0-

19 **(1) Legislators Compensation:** Notwithstanding KRS 6.190 and 6.213, the daily
 20 compensation provided by KRS 6.190 and the interim expense allowance provided by
 21 KRS 6.213 for members of the General Assembly shall remain at the January 1, 2020,
 22 level.

23 **(2) Kentucky Legislative Ethics Commission:** Included in the above General
 24 Fund appropriation is \$567,700 in fiscal year 2020-2021 for the Kentucky Legislative
 25 Ethics Commission. Included in the above Restricted Funds appropriation is \$75,000 in
 26 fiscal year 2020-2021 for the Kentucky Legislative Ethics Commission.

27 **(3) Kentucky Long-Term Policy Research Center:** Notwithstanding KRS

1 7B.010 to 7B.090, operation of the Kentucky Long-Term Policy Research Center and its
 2 governing board shall continue to be suspended effective July 1, 2020, and shall remain
 3 suspended for the 2020-2022 fiscal biennium or until funding is restored. No funds are
 4 appropriated for the Kentucky Long-Term Policy Research Center for fiscal year 2020-
 5 2021 and fiscal year 2021-2022.

6 **(4) Pension Benefit Increase:** Notwithstanding KRS 6.521(3), no pension
 7 benefit increase shall be granted to recipients of a retirement allowance under KRS 6.500
 8 to 6.577 on July 1, 2020.

	2020-21	2021-22
2. Legislative Research Commission		
General Fund	52,965,700	-0-

12 **(1) Permanent Full-time Employees:** The total number of permanent full-time
 13 employees hired by the Legislative Research Commission with the above appropriation,
 14 and not assigned specifically to the House and Senate members of the Legislative
 15 Research Commission, shall not exceed 232 in fiscal year 2020-2021. In addition to this
 16 number, the total number of permanent full-time employees assigned specifically to the
 17 House members of the Legislative Research Commission shall not exceed 19 and the
 18 permanent full-time employees assigned specifically to the Senate members of the
 19 Legislative Research Commission shall not exceed 10.

20 **(2) Legislative Record:** Notwithstanding KRS 7.105, distribution of the final
 21 issue of the Legislative Record and the interim Legislative Record shall be suspended
 22 effective July 1, 2020.

TOTAL - OPERATING BUDGET		
	2020-21	2021-22
General Fund	71,986,400	-0-
Restricted Funds	75,000	-0-
TOTAL	72,061,400	-0-

1 **Unexpended Balance:** Notwithstanding KRS 45.229, any unexpended balance
2 remaining at the close of fiscal year 2019-2020 shall not lapse but shall continue into
3 fiscal year 2020-2021, and any unexpended balance in any succeeding fiscal year shall
4 not lapse but shall continue into the following fiscal year.

5 **TOTAL - LEGISLATIVE BRANCH BUDGET**

	2020-21	2021-22
7 General Fund	71,986,400	-0-
8 Restricted Funds	75,000	-0-
9 TOTAL	72,061,400	-0-

10 **PART II**

11 **GENERAL PROVISIONS**

12 **1. Expenditure Authority:** The Director of the Legislative Research
13 Commission, under the supervision of the Legislative Research Commission, may expend
14 any of the funds appropriated for legislative operation and administration in any lawful
15 manner and for any legal purpose consistent with the policies and practices of the
16 Commission. No executive agency or statute governing the executive agencies of state
17 government shall have the power to restrict or limit the actions of, or the expenditure of
18 funds appropriated to, the Legislative Research Commission for the Legislative Branch of
19 government.

20 **2. Capitol and Capitol Annex Capital Construction Expenditures:** Any
21 expenditure authorized by the Director of the Legislative Research Commission, under
22 the supervision of the Legislative Research Commission, relating to implementation of
23 KRS 56.463(4)(b), or relating to the Capitol Building, and funded by previous or current
24 appropriations to the Legislative Research Commission for the Legislative Branch of
25 government shall not be governed by KRS 7A.010, 7A.120, 45.750 to 45.810,
26 48.010(16), 48.020, and 48.110.

27 **3. Severability of Budget Provisions:** Appropriation items and sums in this Act

1 conform to KRS 48.311. If any section, any subsection, or any provision thereof shall be
2 invalid or unconstitutional, the decision of the courts shall not affect or impair any of the
3 remaining sections, subsections, or provisions.

4 **4. Duplicate Appropriation:** Any appropriation item and sum in this Act and in
5 an appropriation provision in another Act of the 2020 Regular Session of the General
6 Assembly which constitutes a duplicate appropriation shall be governed by KRS 48.312.

7 **5. Priority of Individual Appropriations:** KRS 48.313 shall control when a
8 total or subtotal figure in this Act conflicts with the sum of the appropriations of which it
9 consists.

10 **6. Appropriations Revisions:** Notwithstanding KRS 48.630(10), no revisions
11 for unbudgeted Restricted Funds appropriations for expenditure shall be allotted or
12 expended that have not been appropriated in any enacted branch budget bill or without
13 the express authority of the General Assembly.

14 **7. Allowance in Lieu of Stationery:** Notwithstanding KRS 6.220, in lieu of
15 stationery, there shall be allowed to each member of the House of Representatives the
16 sum of \$250 and to each member of the Senate the sum of \$500. This allowance shall be
17 paid out of the State Treasury at the beginning of each legislative session.

18 **8. Issuance of Employee Paychecks:** Notwithstanding 101 KAR 2:095, Section
19 10, the state payroll that would normally be scheduled to be paid on June 30, 2020, June
20 30, 2021, and June 30, 2022, shall not be issued prior to July 1, 2020, July 1, 2021, and
21 July 1, 2022, respectively.

22 **9. Salary Adjustments:** In each fiscal year, employees of the Legislative
23 Research Commission shall receive a salary adjustment in accordance with the salary
24 adjustment provided to state employees in the state/executive branch budget.

25 **10. Administrative Expenses:** Pursuant to KRS 21.540, administrative expenses
26 shall be paid out of an administrative account which shall be funded by transfers of the
27 necessary moneys, in appropriate ratio, from the funds provided for in KRS 21.550 and

1 21.560.

2 **11. Employee Layoffs, Furloughs, and Reduced Hours:** Notwithstanding any
3 statute to the contrary, the following process and procedure is established for July 1,
4 2020, through June 30, 2021, in the event that the Legislative Research Commission
5 (LRC) determines that it is desirable for the Director of the LRC to layoff, furlough, or
6 reduce hours of employees:

7 (1) For the purposes of this section:

8 (a) "Appointing authority" means the Director of the LRC, in his or her capacity
9 as provided in KRS 27A.010, or any agent whom he or she has delegated to act on his or
10 her behalf with respect to employee appointments, position establishments, payroll
11 documents, reemployment requests, waiver requests, requests for certification, or other
12 position actions for the LRC;

13 (b) "Furlough" or "reduction in hours" means the temporary reduction of hours an
14 employee is scheduled to work by the appointing authority within a pay period;

15 (c) "Layoff" means discharge of employment subject to the rights contained in
16 this section; and

17 (d) "Employees" includes all persons employed by the LRC;

18 (2) Upon an order by the LRC, the appointing authority has the authority to layoff
19 or furlough employees or reduce hours of employment for any of the following reasons:

20 (a) Lack of funds or budgetary constraints;

21 (b) A reduction in the agency's spending authorization;

22 (c) Lack of work;

23 (d) Abolishment of a position; or

24 (e) Other material change in duties or organization;

25 (3) The appointing authority shall determine the job classifications affected and
26 the number of employees laid-off in each classification to which a layoff applies. In the
27 same department or office and job classification, interim and probationary employees

1 shall be laid-off before any full-time or part-time employees are laid-off. For purposes of
2 layoff, "probationary employee" does not include an employee serving a promotional
3 probation;

4 (4) The Director of the LRC shall approve and implement all actions taken under
5 subsection (2) of this section and no such layoff, furlough, or reduction of hours may
6 begin until such approval has been granted. The Director of the LRC has the authority to
7 determine the extent, effective dates, and length of any action taken under subsection (2)
8 of this section;

9 (5) In determining the employees to be laid-off, the appointing authority shall
10 consider all employees under the same appointing authority and within the job
11 classification affected. Consideration shall be given to the following relevant factors:

- 12 (a) Job performance evaluations;
- 13 (b) Seniority;
- 14 (c) Education, training, and experience; and
- 15 (d) Disciplinary record;

16 (6) Any employee whose position is subject to layoff, furlough, or reduction of
17 hours shall be provided written notice containing the reason for the action as set forth in
18 subsection (2) of this section at least 15 days in advance of the effective date of the
19 action;

20 (7) Any employee who is laid-off shall be eligible to apply as a reemployment
21 applicant for positions with the same job classification in the LRC. For a period of two
22 years, a reemployment applicant shall be hired before any applicant except another
23 reemployment applicant with greater seniority who is on the same reemployment list.
24 When a reemployment applicant is removed from a reemployment list, he or she shall be
25 notified in writing. A reemployment applicant who accepts another LRC position, or who
26 retires, shall cease to have eligibility rights as a reemployment applicant;

27 (8) The appointing authority may place employees subject to a reduction in force;

1 (9) Furloughs or reduction of hours during a pay period shall not result in the loss
2 of eligibility for any benefit otherwise due the employee;

3 (10) The appointing authority shall have the authority to promulgate
4 comprehensive administrative regulations governing this section; and

5 (11) A layoff, furlough, or reduction of hours implemented in accordance with this
6 section shall not be considered a penalization of the employee.

7 **PART III**

8 **BUDGET REDUCTION OR SURPLUS EXPENDITURE PLAN**

9 The Legislative Branch shall participate in any Budget Reduction Plan or Surplus
10 Expenditure Plan in accordance with KRS Chapter 48, except that obligations essential to
11 the constitutional duties of the Legislative Branch shall be exempt from any Budget
12 Reduction Plan. The level of participation in a Budget Reduction Plan shall be at the
13 discretion of the Director and shall not exceed the actual percentage of revenue shortfall.
14