

**2007
REGULAR SESSION**

Scorecard @ Feb 16
(13/30 days)

	Senate	House
# bills filed	222	538
# resolutions filed	138	153
# bills passed 1 chamber	20	30
# bills passed both chambers	0	0
# bills into law	0	0
# bills vetoed	0	0

LRC Contact Numbers

Mtg info	800/633-9650
Legislators msg	800/372-7181
TTY msg	800/896-0305
En Espanola	866/840-6574
LRC web	www.lrc.ky.gov

Key Session Dates

Jan 2	Session I Convenes
Feb 6	Session II Convenes
Feb 9	Last day to have a new bill drafted
Feb 16	Last day to file Senate bills
Feb 20	Last day to file House bills
Mar 9 & 12	Concurrence days
Mar 13 - 23	Veto days (GA not in session)
Mar 27	Adjourns

The GA does not meet today due to the President's Day Holiday. Legislators return to work tomorrow morning in committee meetings. With over 750 bills already filed and maybe that many more reportedly still being drafted, committees must become very busy to hear all the bills. It is common practice, however, for a legislator to file a bill but not "push" it. Look for many of the bills to already be dead this session.

Both chambers took action last week on some their "agenda" bills. These are bills on issues identified by leadership that should be addressed during the session. The Senate easily passed **SBs 1 & 2** to help high schools offers more rigorous math & science courses, providing incentives to students and teachers for better test results and additional training for teachers.

The House passed **HB 5** providing incentives to develop new energy conservation practices and explore alternative energy measures and **HB 62** to give more protection to the state employee merit system. Rep. Rocky Adkins (D-Sandy Hook) is the primary sponsor of HB 5 and testified that *Kentucky can be a national leader in energy independence* because of our coal reserves.

Governor Fletcher pitched his surplus spending plans to the House Appropriations & Revenue committee last week. He proposes to spend \$250 million of the estimated \$401 million surplus. The committee chairman, Harry Moberly (D-Richmond) later indicated some funding will be deferred until the GA next year when the budget is considered.

The House Tourism Development and Energy committee heard **HB 261**, a bill that would allow an annual rate adjustment to the state's largest gas companies. Although a committee substitute was filed to address some PSC concerns, the AG office testified strongly against the bill. The committee approved a motion to pass over the bill to allow the parties more time to seek a compromise. Some of the arguments used by the AG were the same used against the telecom reform bill (HB 337) last session.

Although "short" sessions are not supposed to be about the budget and taxes, it's hard to keep these issues out. Sen. Richie Sanders (R-Franklin) filed **SB 176** last week that *might allow fiscal courts to raise local occupational taxes*. The bill would apply to counties with a population between 30,000 and 300,000.

SB 213 was filed to *transfer the function of issuing drivers licenses from the circuit clerk to the State Police*. The sponsors, Sens. Joey Pendleton (D-Hopkinsville) and Carroll Gibson (R-Leitchfield) might be in for a big fight with county governments to pass this bill.

Telecom Issues

Several *telemarketing* bills were filed last week. Rep. Leslie Combs (D-Pikeville) filed **HB 430** to replace the state do-not-call list with the national list, maintained by the FTC. A similar bill died in the Senate last session. Telecom generally supports this bill. **HB 433**, filed by Rep. Mike Denham (D-Maysville), adds wireless phones to the list of prohibited numbers a telemarketer can call. **HB 437**, filed by Jim Glenn (D-Brandenburg) would prohibit unsolicited fax transmissions unless a prior business relationship exists.

ConnectKentucky continues to get attention. **HCR 126** was filed to recognize ConnectKentucky as the state's information technology resource and to continue its role in broadband expansion. The resolution is sponsored by Reps. Charlie Hoffman (D-Georgetown), Keith Hall (D-Phelps) and Marie Rader (D-McKee). SouthEast Telephone is reported to be the primary backer of the resolution. **SB 74**, which may provide ConnectKentucky with permanent state funding, moved out of committee with a telecom supported committee substitute.

A *committee substitute to HB 360* was approved by the House Appropriation & Revenue committee last week. The substitute corrects technical mistakes and now conforms to the telecom portion of the national streamlined state sales tax pact not previously adopted by Kentucky. The bill, sponsored by Rep. Harry Moberly (D-Richmond), is expected to be passed by the House this week.

A *committee substitute to HB 82* was also approved by the House Judiciary committee last

week. This bill, sponsored by Rep. Denham, will increase the reporting requirements of scrape dealers when buying copper wire/products, and notify local law enforcement of all such sales. Electric and telecom supporters were behind the bill as a measure to counter copper thefts on their networks.

Ins & Outs

The US Army Corps of Engineers project to repair Wolf Creek Dam is having a major impact in the Lake Cumberland region with tourism, local business and economic development likely to suffer during the project. Gov. Fletcher has appointed *Hilda Legg* his liaison to local communities in the region. Her office will be in Somerset.

The *University of Kentucky football team* -- the 2006 Music City Bowl Champs -- visited the Kentucky General Assembly today and were honored with passage of House and Senate resolutions. Not to be outdone, look for the University of Louisville football team to also be honored soon.

Some big news was made outside the GA last week when a new medical study was released that found napping is beneficial. The study, conducted in part by research at Harvard University, contained a key finding that at least 3 naps per week reduced heart problems, including job related stress. The KTA office employee wellness program will now include a nap time from 2:30-3:00 in the afternoons.

For those of us who are counting, the session passes its mid-way point this week.

Senate Bills & Resolutions

SB 5 MINIMUM WAGE INCREASE

(Scorsone et al) – Would increase the state minimum wage level on a graduated basis to \$7.25 by July, 2009 and, thereafter; adopt the federal minimum wage if it exceeds the state level. *[Filed 1/2, now in Senate Economic Development, Tourism & Labor.]*

SB 7 ELECTRIC UTILITY STAFFING

(Worley) – Would require PSC to direct electric utilities to assign at least 1 full-time service employee in each county with over 500 customers. *[Filed 1/2, now in Senate Agriculture & Natural Resources (A&NR).]*

SB 55 FINANCE AND ADMINISTRATION CABINET REORGANIZATION

(Kelly) – Would require, in part, a review of all state agencies' IT sections and, if deemed necessary, consolidate operational control under COT. *[Filed 1/5. Senate State & Local Gov't passed cmte substitute 2/7. Senate passed 34-0, 2/23. Now in House State Government.]*

SB 65 SEX OFFENDERS REGISTRATION

(Jones et al) – Would amend required registration information to include internet communications identities. *[Filed 1/5. Senate Judiciary passed 2/8. Senate passed 36-0, 2/13. Now in House.]*

SB 74 CONNECTKENTUCKY FUNDING

(Harris & Boswell) – Requires DLG/GOLD to monitor and report on broadband deployment and adoption. DLG may contract w/non-profit organization (ConnectKentucky) to carry out provisions. *[Filed 2/6. Senate Ag&NR passed cmte substitute, 2/15. Now in Rules.]*

SB 84 CDL DRUG TESTING

(Guthrie) – Would require employer to notify Transportation Cabinet of any positive drug tests of employees with CDLs. The cabinet will suspend the CDL pending treatment. *[Filed 2/6; now in Senate Transportation.]*

SB 176 COUNTY OCCUPATIONAL TAXES

(Sanders) – Would remove 1% limit on county occupational taxes for counties with population over 30,000 but less than 300,000. *[Filed 2/13, now in Senate A&R.]*

House Bills & Resolutions

HB 7 IDENTITY THEFT REFORM

(Webb et al) – Would define identity theft, restricts use of social security numbers in general business and government and establishes expedited court process. *[Filed 2/7. House Judiciary (Jud) passed cmte substitute, 2/14. Now on House floor.]*

HB 17 MINIMUM WAGE INCREASE

(Gray et al) – Would increase the state minimum wage to \$7.00 on the effective date of the bill, and annual increases at least equal to the CPI. *[Filed 1/2; now in House Labor & Industry (L&I) w/posting waived.]*

HB 37 MINIMUM WAGE INCREASE

(Riner) – Would increase the state minimum wage level on a graduated basis to \$7.25 by July, 2008 and, thereafter; adopt the federal minimum wage if it exceeds the state level. *[Filed 1/2; now in House L&I.]*

HB 54 MINIMUM WAGE INCREASE

(Jenkins et al) – Would increase the state minimum wage level on a graduated basis to \$7.25 by July, 2009 and, thereafter; adopt the federal minimum wage if it exceeds the state level. *[Filed 1/2; now in House L&I.]*

HB 55 CAMPAIGN ELECTION REFORM

(Wayne & Stein) – Would amend the state elections laws, including candidate registration requirements, citizen contributions & donations levels, campaign fund transfers and new penalty provisions. *[Filed 1/2; now posted in House Elections, Constitutional Amendments & Intergovernmental Affairs.]*

HB 68 UTILITIES SALES TAX EXEMPTION

(Owens) – Would exempt from sales tax sales to owner/operators of multi-unit residential property or mobile home park. *[Filed 1/2; now in House Appropriations & Revenue (A&R).]*

HB 80 TELECOM TAX APPROPRIATIONS

(Crimm et al) – Would require state to increase the hold-harmless amount of telecom tax earmarked to replace franchise taxes of local gov't. *[Filed 1/2; now in House A&R.]*

HB 82 COPPER WIRE THEFTS

(Denham, Vincent & Westrom) – In response to increasing theft of copper wire and other products, this bill would require junk dealers to maintain records of copper transactions, report data to local police and increase civil penalties. *[Filed 1/2. House Judiciary (Jud) passed cmte substitute 2/14. House passed 97-0, 2/16.]*

HB 123 PSC ELECTRIC METER PROGRAM

(Pullin) – Would require PSC to initiate a pilot program to install new electric meters to evaluate conservation of electric consumption. *[Filed 1/3. House Tourism Development & Energy (TD&E) passed w/cmtc amendment 2/8. Now posted on House floor w/1 floor amendment filed.]*

HB 148 HIRING OF UNAUTHORIZED ALIENS

(Nelson) – Would prohibit hiring of unauthorized aliens and impose penalties with Homeland Security exemptions. *[Filed 1/2; now in House L&I.]*

HB 181 STATE CONTRACTS

(Farmer) – Would reform state contract bidding process, including EEOC, contracting agency authority and bidding amounts. *[Filed 1/4; now posted in House State Government.]*

HB 184 BUDGET BILL AUTHORITY

(Moberly) – Would reaffirm GA authority to suspend, modify or repeal other laws in the budget bill. *This provides GA permanent authority to take surplus funds from the PSC. [Filed 1/4. House A&R passed cmtc substitute 2/14. Now posted on House floor.]*

HB 230 PROHIBITES SCHOOL BUSES DRIVERS USE OF CELL PHONES

(Adams et al) – Would prohibit school bus drivers from using cell phones while driving. Penalties and exceptions are included. *[Filed 1/6. Now posted in House Education.]*

HB 246 FLORISTS ADVERSITING RESTRICTIONS

(Ford & Gray) – Would prohibit misrepresentation of geographic location of floral businesses in telephone directories or other e-directory databases. *[Filed 2/6, now posted in House L&I.]*

HB 254 GIFT CARDS

(Burch) – Would prohibit restrictions on use of card cards and require seller to obtain info from buyers. *[Filed 2/6, now in House Banking & Insurance.]*

HB 261 QUARTERLY RATE FILINGS FOR LARGE GAS UTILITIES

(Belcher & Ballard) – Would provide for quarterly rate reviews & annual adjustment for large gas companies under expedited case review by PSC. There is significant consumer interest opposition, including the AG. PSC position unknown. *[Filed 2/6. House TD&E heard cmtc substitute on 2/15 but took no vote.]*

HB 301 CELL PHONE RESTRICTIONS

(Meeks & Burch) – Would restrict use of wireless communications devices in moving vehicle, with exceptions for emergency personnel and hands free mobile phones. *[Filed 2/6; now in House Transportation.]*

HB 305 MINIMUM WAGE INCREASE

(Gray et al) – Would increase the state minimum wage to \$7.00 on the effective date of the bill, provide for annual increases at least equal to the CPI and abolish the minimum tip credit rule. *[Filed 2/6. House L&I passed cmtc substitute 2/15.]*

HB 360 STREALINED SALES TAX ADOPTION

(Moberly) – Would provide for Kentucky to adopt full provisions of the multi-state streamlined sales tax pact. Communications sales tax provisions impacted. *[Filed 2/7. House A&R passed cmtc substitute 2/14. Now on House floor.]*

HB 433 TELEMARKETING – WIRELESS

(Denham) – Would add wireless numbers to the prohibited list in the state telemarketing law. *[Filed 2/12. Now posted in House L&I.]*

HB 437 TELEMARKETING – FAX TRANSMISSIONS

(Glenn, Clark & Henderson) – Would prohibit unauthorized fax transmissions under the telemarketing law. *[Filed 2/13. Now posted in House L&I.]*

HB 458 LIMITS LOCAL GOVERNMENT EMINENT DOMAIN AUTHORIY

(DeCesare) – Would limit local government use of eminent domain to public use only (not for private economic development). *[Filed 2/13; now in House Health & Welfare.]*

HB 499 MINIMUN WAGE INCREASE

(Harmon) – Would increase the state minimum wage level to \$7.00 and, thereafter; adopt the federal minimum wage if it exceeds the state level. The bill would also provide a tax credit for the difference between the state & federal minimum wage level. *[Filed 2/6; now in House Transportation.]*

HCR 70 PSAP FUNDING STUDY

(Glenn) – Directs the LRC staff (or contracted body) to study local PSAP & 911 funding issues and report to LRC by Dec 07. *[Filed 2/6, now in House Local Government.]*

HCR 126 CONNECTKENTUCKY

(Hoffman, Hall & Rader) – Recognizes ConnectKentucky as the Commonwealth's "information technology resource" for its activities promoting broadband deployment and adoption. *[Filed 2/12, now in House TD&E w/posting waived.]*

HCR 131 e-SCRAPE TASK FORCE

(Webb) – Directs the LRC to establish a 15-member task force to study recycling e-scrape waste and report to LRC by Dec 07. *[Filed 2/13, now in House Natural Resources & Environment.]*

Editors Note. This news bulletin is published weekly via email during sessions of the General Assembly for the benefit and information to KTA members and friends. Special issues and Member Alerts will also be published as needed to notify members of significant action or bills affecting members. Contact the KTA office to be added or deleted from the distribution list, or to receive it in a different medium. Each edition will also be available on the KTA web site at www.ktaoffice.org. Questions and comments should be directed to Forest M. Skaggs at 859/223-9001 or forest@ktaoffice.org.