

**2007
REGULAR SESSION**

Scorecard @ Mar 2
(22/30 days)

	Senate	House
# bills filed	222	538
# resolutions filed	199	186
# bills passed 1 chamber	82	159
# bills passed both chambers	0	0
# bills into law	0	0
# bills vetoed	0	0

LRC Contact Numbers

Mtg info	800/633-9650
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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 has 6 scheduled days left to pass bills. It adjourns on March 12 for 10 days and will then come back on March 26 for the final 2 days to consider any vetoes by Governor Ernie Fletcher. If needed, it could use the final 2 days to pass bills too but would not be able to override any vetoes since the session would be over. This occurred last session when the budget bill was passed on the final day and Gov. Fletcher vetoed over 40 bonding projects. This resulted in increased poor relations with the Governor's office and led to this session's **HB 1** to restore the vetoed projects. This bill was approved by the House last week by a 97-0 vote and is now in the Senate Appropriations and Revenue committee.

The House Appropriations and Revenue Committee passed **HB 327**, *this session's version of a budget bill*. This bill, sponsored by Rep. Harry Moberly (D-Richmond), contains new spending plans for some of the projected budget surplus of \$401 million. Although several of Gov. Fletcher projects are included, the majority of them are not, including funding for improvements to the Kentucky Horse Park to prepare for the 2010 World Equestrian Games. A floor vote is expected this week and 16 floor amendments have already been filed to restore or add to the funding bill. *Quick floor action is needed to give the Senate time to consider this bill.*

This session's primary tax bill, **HB 549**, passed the House by a 79-13 vote and moves to the Senate this week. This bill, co-sponsored by Rep. Larry Clark (D-Louisville), primarily provides for tax incentives to construct the *Louisville Museum Plaza* project but could apply to other redevelopment projects across the state as well. The bill establishes a new tax break called *tax incentive financing or TIF*.

The large gas companies took a different turn at streamlining its rate regulation by turning its annual rate review bill into a task force study. For the 3rd straight week, the House Tourism Development and Energy committee discussed **HB 261** and finally approved a committee substitute creating the task force. The bill calls for a final task force report by December 1 to give time for the issue to come up again next session.

Sen. David Williams (R-Burkesville) filed **SR 193** to *consent to the appointment of John Clay as PSC commissioner* and vice-chairman. Gov. Fletcher appointed Clay to the commission in October, 2006 for a term expiring July 1, 2009.

Last Friday, Senate leaders revealed they were working on a *plan to reform the state's retirement systems* that either are in debt or have unfunded liabilities totaling \$19 billion. The announcement caught most people by surprise. It promises to be a major issue this week.

Telecom Issues

The House passed **HB 230**, which would restrict the use of mobile phones by school bus drivers, with a 96-0 vote. The bill is now in the Senate Judiciary committee.

The ConnectKentucky bills continued to move last week. **HCR 126** was adopted by the House by 98-0 and is now in the Senate Agriculture and Natural Resources committee. The resolution recognizes ConnectKentucky as the state's information technology resource and to continue its role in broadband expansion. The House Tourism Development and Energy committee passed a committee substitute to **SB 74** and it should be on the House floor this week. The bill was amended to relate the bill more directly to broadband services and to ensure it provides no regulatory authority over broadband providers. The provisions of the bill that may provide ConnectKentucky with permanent state funding remain.

The House also passed **HB 360** in a 99-0 vote and it is now in the Senate Appropriation & Revenue committee. The bill conforms state law to the telecom portion of the national streamlined state sales tax pact not previously adopted.

Ins & Outs

An unusual happening is occurring in the *Governor's race* - Republicans are in for a tough primary for a change. Lt. Governor Steve Pence, already on the outs with Gov. Fletcher for declining to run again, has now endorsed former US Rep. Anne Northup. A few days later, Sen. Julian Carroll (D-Frankfort) blasted Pence in a floor speech for his actions. Some insiders expressed surprise since Sen. Carroll is not only a Democrat but a former Governor as well.

As part of *ConnectKentucky's Tech Week*, Gov. Fletcher has awarded several Technology Awards to various businesses and a student to recognize efforts to "embrace, promote and advance technology". ConnectKentucky also reported that *broadband service is available to over 91% of Kentucky households* and that every community in the state has engaged in the eCommunity leadership process.

It will be nuts all month, since March is National Peanut Month to celebrate one of America's favorite foods. Did you know that one acre of peanuts will make 30,000 peanut butter sandwiches? Or that they are not actually nuts? They are actually legumes - like beans and peas.

Senate Bills & Resolutions**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 (Ag&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 Government passed cmtte substitute 2/7. Senate passed 34-0, 2/23. House State Government passed 3/1. Now in Rules.]*

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. House Judiciary passed 2/28. Now in Rules.]*

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 cmtte substitute, 2/15. Senate passed cmtte substitute 36-0, 2/22. Reassigned from House Local Government (LG) to House Tourism Development & Energy (TD&E) 2/27. Cmtte passed telecom supported cmtte substitute 3/1. 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 Appropriations & Revenue (A&R).]*

SR 139 CONFIRM PSC COMMISSIONER

(Williams) – Would consent to the appointment of John Clay as a member and vice chair of the PSC for a term ending 7/1/09. *[Filed 3/1.]*

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 passed cmtte substitute, 2/14. House passed 99-0, 2/22. Now in Senate Judiciary.]*

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 et al) – 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 cmtte substitute 2/14. House passed 97-0, 2/16. Now in Senate Judiciary.]*

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/cmtte amendment 2/8. House passed 100-0 w/floor amendment, 2/22. Now in Senate Ag&NR.]*

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 Labor & Industry.]*

HB 181 STATE CONTRACTS

(Farmer) – Would reform state contract bidding process, including EEOC, contracting agency authority and bidding amounts. *[Filed 1/4. House State Government passed 3/1. Now in Rules.]*

HB 230 CELL PHONES RESTRICTIONS

(Adams et al) – Would prohibit school bus drivers from using cell phones while driving. Penalties and exceptions are included. *[Filed 1/6. House Education passed 2/20. House passed 96-0 2/27. Now in Senate Judiciary.]*

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. House L&I passed 2/28. House passed 91-0 3/2. Now in the Senate.]*

HB 254 GIFT CARDS

(Burch) – Would prohibit restrictions on use of card cards and require seller to obtain info from buyers. *[Filed 2/6. House Banking & Insurance passed 2/28. Floor amendment filed. Now in Rules.]*

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 is neutral. *[Filed 2/6. House TD&E heard cmtc substitute on 2/15 & 2/22 but took no vote. Cmtc passed cmtc substitute to create a Task Force to study issue and report by 12/07, 3/1. Now in Rules.]*

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 to gradually increase minimum wage to federal level, 2/15. House passed 89-10 after considering 13 floor amendments, 2/21. Now in Senate Economic Development, Tourism & Labor.]*

HB 334 BUSINESS ENTITIES

(Brinkman) – would update statutes relating to various business entities to make them consistent and equivalent between business types and make technical corrections. *[Filed 2/7. House Judiciary passed 2/21. 2 floor amendments filed. House passed 95-0 3/2.]*

HB 360 STREAMLINED 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. House passed 99-0 3/1. Now in Senate A&R.]*

HB 430 TELEMARKETING – NATIONAL DO-NOT-CALL LIST

(Combs, Greer & Hoffman) – Would replace the state maintained do-no-call-list with the national list maintained by the FCC. *[Filed 2/12. House TD&E passed 2/15. House passed 100-0 2/22. Now in Senate Ag&NR.]*

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 et al) – Would prohibit unauthorized fax transmissions under the telemarketing law. *[Filed 2/13. House L&I passed cmtc substitute 2/22. House passed 96-0 3/1. Now in the Senate.]*

HB 458 LIMITS LOCAL GOVERNMENT EMINENT DOMAIN AUTHORITY

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

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 LG.]*

HCR 126 CONNECTKENTUCKY

(Hoffman et al) – Recognizes ConnectKentucky as the Commonwealth's "information technology resource" for its activities promoting broadband deployment and adoption. *[Filed 2/12. House TD&E passed 2/22. House adopted 98-0 2/27. Now in Senate Ag&NR.]*

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. House Natural Resources & Environment passed 3/1. Now in Rules.]*

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.