

**2008
REGULAR SESSION**

Scorecard @ Jan 11
(4/60 days)

	Senate	House
# bills filed	76	278
# resolutions filed	23	37
# bills passed 1 chamber	0	0
# 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 8	Session convenes
Feb 25	Last day to have a new bill drafted
Mar 3	Last day to file House bills
Mar 5	Last day to file Senate bills
Mar 28 & 31	Concurrence days
Apr 1 - 11	Veto days (GA not in session)
Apr 15	Session adjourns

The GA's first week in the 2008 regular session closed Friday with the Governor and legislators talking about money woes and casino locations. Legislators also filed over 350 bills with about 1,000 more expected, and found time to file 60 resolutions too. Few committee meetings were held last week because most bills had not yet been assigned to their subject committee. The pace will now pick up and Gov. Beshear's first *State of the Commonwealth address* tonight will be one of the main topics the rest of the week. *Look for committee action on some bills and continued talk on the Governor's agenda.*

The GA's own study group on casinos held 2 hearings last week and more are expected. Legislative leadership hope the study group will learn enough about casinos that it can have input in the expected constitutional amendment bill being prepared by the Governor's office. At the same time, there were *discussions that casinos should not be required to be located at the race track sites but somewhere close in order to be used as an economic development tool.* This was a new element in the casino controversy and may lead many legislators to withhold their positions until the bill is filed and exact language can be reviewed.

Governor Beshear announced that he would proceed with his *ethics legislation* and had several bills filed last week. He proposes to limit the pardon power of the Governor and reform both the Executive and Legislative branch ethics commissions. The issues may run into partisan politics during committee review with stronger support from democrats and the House.

Senate President David Williams (R-Burkesville) claimed that the Governor disregarded state law when he ordered budget cuts to this year's budget, signaling what may be a *political battle over the budget.* He also claimed the Governor was using "overly negative numbers" and that significant revenue will be found during the budget bill review.

Although the Governor has indicated he would not support new taxes this session, a coalition lead by the American Lung Association is planning to push for an increase in the cigarette tax as a health measure and to help the budget. *If the budget picture is as bad as some say, look for growing support for this tax increase, especially in the House.*

Two vacant House seats were filled in special elections last week. Republican Alecia Webb-Edginton, former Director of Homeland Security, was elected to represent the 63rd District while Democratic Sandy Overly won in the 72nd District election. Both were sworn into office last week. Three more special elections to fill vacant seats will be held over the next month.

Telecom Issues

Rep. Harry Moberly filed **HB 257** to replace the current optional local gross utility school tax with a *new state 3% utility school tax*. The tax would apply to all utilities, except sewage companies and require providers to remit to the state monthly. The state would, in turn, allocate the tax revenues back to the local schools. Utility interests had little or no input the bill and are now reviewing its impact.

Two bills were filed to *restrict cell phone use while driving*. **HB 56**, filed by Rep. Tom Burch (D-Louisville) would prohibit the use of hand-held cell phones while driving, with limited exceptions for safety/emergency purposes. **HB 125** would prohibit cell phone/texting by permit and intermediate drivers. This bill, directed toward youth, was filed by Rep John Will Stacy (D-West Liberty).

HB 277 was filed to clarify that broadcast equipment, including *towers and antenna, are exempt from local property tax* and subject to state tax only. Rep. Robin Webb (D-Grayson) is the chief sponsor.

Ins & Outs

Pushback to the Governor's budget cuts? The Council on Postsecondary Education has declined the Governor's request to plan for a 15% budget cut and urged him to continue to build on recent educational and economic gains in higher education. The council, which represents the public universities and community and technical college system, may get legislative support to stave off deep budget cuts.

Let's not forget that legislators are concerned about state symbols too. Bills have been filed to make cornhole the official state game, Corvette as the official state sports car, burgoo as the official state dish. When did cornhole replace basketball or even horse racing?

Over at the PSC, 4 non-merit employees were let go by the new administration, including the Executive Director and General Counsel. Bob Amato, Deputy Executive Director was appointed the Acting Executive Director until further notice. No replacements have been named.

Senate Bills & Resolutions

House Bills & Resolutions

HB 36 LIMITED LIABILITY ENTITY FEE

(DeCesare) – Would establish a new \$175 annual fee on corporations and limited liability pass-thru entities. Exemptions to this new tax include companies exempt under Section 501 of the IRS code. *[Filed 1/18. Now in House Appropriations & Revenue (A&R).]*

HB 56 CELL PHONE RESTRICTIONS

(Burch) – Would restrict use of hand-held wireless communications devices with limited exceptions. *[Filed 1/8. Now in House Transportation.]*

HB 69 EXECUTIVE BRANCH ETHICS

(Cherry) – Would clarify that PSC decisions be included in "agency decisions" in the executive branch ethics law and extend lobbying restrictions to the PSC. *[Filed 1/8. Now in House State Government.]*

HB 90 PROHIBIT AUTOMATED CALLING IN ELECTIONS

(Higdon) – Would prohibit use of automated or recorded messages by political parties and create penalties. *[Filed 1/8. Now in House Labor & Industry.]*

HB 95 HIRING OF UNAUTHORIZED ALIENS

(Nelson & Damron) – Would, among other things, prohibit the hiring of unauthorized aliens and create penalties. *[Filed 1/8. Now in Judiciary.]*

HB 125 CELL PHONE AND TEXTING RESTRICTIONS

(Stacy) – Would prohibit certain classes of drivers from using “personal telecommunications devices”. *[Filed 1/8. Now in House Transportation.]*

HB 175 LEGISLATIVE BRANCH ETHICS

(Cherry) – Would revise and expand the legislative branch code of ethics by restricting acceptable legislators’ and lobbyists activities, restrict campaign donations during elections and expand investigative powers. Similar to HB 212. *[Filed 1/8.]*

HB 209 UTILITIES SALES TAX EXEMPTION

(Owens) – Would expand the sales tax exemption to sewer, water, & fuel service billed to a multi-unit residential facility or mobile home park owner. *[Filed 1/8.]*

HB 212 LEGISLATIVE BRANCH ETHICS

(Cherry) – Would revise and expand the legislative branch code of ethics by restricting acceptable legislators’ and lobbyists activities, restrict campaign donations during elections and expand investigative powers. Similar to HB 175. *[Filed 1/8.]*

HB 247 UNAUTHORIZED FAX TRANSMISSIONS

(Glenn) – Would prohibit unauthorized fax transmissions, establish procedures and opt-out requirements and create penalties. *[Filed 1/10.]*

HB 250 EXECUTIVE BRANCH ETHICS

(Cherry & Vincent) – Would overhaul the executive branch code of ethics laws. *[Filed 1/10.]*

HB 257 GROSS UTILITIES RECEIPTS TAX FOR SCHOOLS

(Moberly) – Would establish a 3% gross utilities receipt tax on utilities services (telecom, cable & satellite, electric, gas & water) to fund public schools in the Commonwealth, effective 1/1/09. *[Filed 1/10.]*

HB 277 BROADCAST TOWERS & ANTENNA PROPERTY TAX EXEMPTION

(Webb et al) – Would clarify that television, radio, telephonic and broadcast equipment, including towers and antenna are exempt from local property local taxes, and add weather equipment to the exemption list. *[Filed 1/10.]*

HB 279 COPPER WIRE THEFTS

(Harmon & Simpson) – Would expand the reporting requirements of junk dealers for purchases/sales of copper to “ferrous or nonferrous” metals & materials. *[Filed 1/11].*

HB 281 HARRASING COMMUNICATIONS OVER THE INTERENT

(Hoffman) – Would expand “harassing communications” to include actions via the internet or electronic communications, and penalties for multiple offenses. *[Filed 1/11].*

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