

**2007
REGULAR SESSION**

Scorecard @ Feb 23
(17/30 days)

	Senate	House
# bills filed	222	538
# resolutions filed	154	169
# 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 observed President's Day last Monday and did not meet. On Tuesday, Governor Ernie Fletcher presented his surplus spending priorities plan to the Senate Appropriation and Revenue Committee, but like in the House the week before, he again received lukewarm support. Both the House and Senate leadership seem to be sending clear signals that the legislative branch will determine spending priorities. In particular, **HB 1**, sponsored by House Speaker Jody Richards (D-Bowling Green) to restore the bond projects vetoed by Gov. Fletcher last session, will be considered on the House floor this week. Rep. Richards calls it a "straight-up bill that puts back the projects that the governor vetoed".

It's probably fortunate that *no more bills can be filed*. A total of 760 bills were filed but far less will actually be considered since there are 13 days left in this session. The downside is that the original intent of a bill can be changed by adding amendments or committee substitutes. Look for this to happen.

Facing increasing opposition, Rep. Harry Moberly (D-Richmond) has withdrawn **HB 184**. Opponents claimed the bill gave the GA new powers to raise taxes and enact laws secretly in the budget bill which is generally worked out in conference committee meetings closed to the public. Rep. Moberly said the intent of the bill was misunderstood. This may be a bill that still sees life in an amendment to another bill.

The House passed **HB 7** by a 99-0 vote last week. The bill would increase identity theft reporting and penalties, including "phishing," which is using the Internet to induce a person to provide identifying information by representing without authorization that the requester is another person.

The House has approved an increase in the minimum wage in **HB 305** by an 89-10 vote. The bill's chief sponsor, Rep. J.R. Gray (D-Benton) has supported similar legislation for several sessions. The bill would raise the current minimum wage of \$5.15 an hour in 3 stages to \$7.25 an hour by July 2009 and tie it to the federal rate if it is higher.

The House Tourism Development and Energy committee heard testimony for the second straight week on **HB 261**, a gas utility industry bill that would allow for annual rate increases based on quarterly filings. The bill would apply only to the five largest gas utilities and was opposed by the Attorney General, AARP and other consumer interest groups. The PSC was neutral after changes were made to a committee substitute bill but the parties could not reach a compromise bill. The committee passed over the bill after some committee members expressed concerns that *the bill would cost over \$1 million in additional PSC and AG staff* to monitor and review filings.

Telecom Issues

The House Education committee passed **HB 230** which would restrict the use of mobile phones by school bus drivers. The bill is now on the House floor.

The House passed the telemarketing bill to replace the state maintained Do-Not-Call list with the federal list by a 100-0 vote. **HB 430** now moves to the Senate.

The ConnectKentucky bills continued to move last week. **HCR 126** passed out of the House Tourism Development and Energy committee and is now on the House floor. The resolution recognizes ConnectKentucky as the state's information technology resource and to continue its role in broadband expansion. **SB 74** passed the Senate in a 36-0 vote. The bill had been amended in committee with telecom supported language to tie the bill to the findings and recommendations in the November 2006 Broadband Task Force Report. The bill may provide ConnectKentucky with permanent state funding.

The committee substitute to **HB 360**, approved by the House Appropriation & Revenue committee on Feb 14 was not considered by the House 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.

Ins & Outs

Lobbyists don't get any respect. The LRC has contracted with the Frankfort Fire Department to have a paramedic on the Capital grounds during the session for emergency service calls. The service is directed to legislators and staff – there is no mention about the office being open to lobbyists.

Snuff users beware! Tobacco product “moist” snuff will lose its sales tax exemption in **HB 566** filed last week by Rep. Tommy Thompson (D-Owensboro). How did it get the exemption in the first place?

University of Louisville fans can rest easy now that its football team was recognized for its great season and 2007 Orange Bowl champs. Both chambers passed resolutions last week to recognize the team's accomplishments. Some grumbling was heard after the UK football team was recognized the week before.

Does casino gaming have a future? Six of the seven Democratic candidates for Governor have signaled their support for allowing citizens to vote for casinos. Two Republican candidates are neutral, one is opposed. Although bills have been filed this session, no action is expected.

ConnectKentucky celebrates *Tech Week* this week with activities and meetings cumulating in a legislative reception in Frankfort on March 1.

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 (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 posted 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 Judiciary.]*

SB 74 CONNECT KENTUCKY 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. Senate passed cmte substitute 36-0, 2/22. Now in House Local Government.]*

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. Move from Senate A&R to Education, 2/23.]*

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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. House passed 99-0, 2/22.]*

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 cmte 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/cmte amendment 2/8. House passed 100-0 w/floor amendment, 2/22.]*

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 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. Now on House floor.]*

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 is neutral. *[Filed 2/6. House TD&E heard cmtte substitute on 2/15 & 2/22 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 cmtte 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.]*

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 cmtte substitute 2/14. Now on House floor.]*

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.]*

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 cmtte substitute 2/22. Now in Rules.]*

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 Health & Welfare.]*

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. House TD&E passed 2/22. Now in Rules.]*

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.