



ACTION REQUEST

May 9, 2012

LEGISLATIVE REPORT #13 – FINAL REPORT

SUMMARY OF LEGISLATIVE ACTIVITIES DURING THE 2012 KENTUCKY GENERAL ASSEMBLY

Kentucky Farm Bureau was involved in many pieces of legislation this session supporting, opposing, or monitoring bills. We were able to secure passage of several of our priority issues this year. We were able to secure initial funding the Breathitt Veterinary Center and legislation to address the feral hog situation. We were also able to protect many of our other priority issues, such as our policy on property taxes and private property rights. The bills that were passed during the regular session will become effective on July 12, 2012. Legislation containing an emergency clause became effective upon Governor Beshear's signature.

The General Assembly also convened a special session on April 16 to pass the transportation budget and legislation to address the "pill mill" problem in Kentucky. The special session ended on April 20, with the General Assembly passing [HB 1](#) and [HB 2](#). HB 1 will become effective on July 20, 2012 and [HB 2](#) will become effective July 1, 2012.

The Public Affairs staff would like to express our sincere appreciation to all of those who responded to our Legislative Action Request concerning various issues each week. The success of implementing your policy depends on the continued involvement and efforts of county Farm Bureau leaders and members. Please accept our thanks for your assistance in making this years session a success for Kentucky Farm Bureau.

This year is an election year for all one hundred state house and nineteen state senate seats. As the primary and general elections approach it is vital that our organization know how these candidates stand on our priority issues like sales tax exemptions for agriculture and state property taxes (HB44). The most effective way to discover the position of candidates is to conduct Measure the Candidate Forums. These forums allow us to get candidates on record prior to them becoming elected officials. We can expect the agenda items for the 2013 session of the General Assembly to include state tax reform so it is imperative that we elect candidates that are supportive of our policy on tax issues.

As the General Assembly enters into their interim, we encourage those counties that have yet to conduct legislative appreciation events to do so. We know that several counties have already conducted these events during the session with great success. We also encourage you to invite your Representatives and Senators to your County Annual Meetings and our State Annual Meeting.

If you have questions concerning any legislation, please contact the Kentucky Farm Bureau Public Affairs staff at 502.495.5121 or the Legislative Research Commission in Frankfort at 502.564.8100. You may also email your questions to Jeff Harper at Jeff.Harper@kyfb.com.

The following is a detailed report summarizing many of the bills and resolutions in which Kentucky Farm Bureau was involved:

BILLS FARM BUREAU SUPPORTED THAT PASSED

HB 265: Rep. R. Rand (D), Rep. R. Adkins (D), Rep. L. Clark (D), Rep. R. Damron (D), Rep. G. Stumbo (D), and Rep. T. Thompson (D) – AN ACT relating to appropriations providing financing and conditions for the operations, maintenance, support, and functioning of the government of the Commonwealth of Kentucky and its various officers, cabinets, departments, boards, commissions, institutions, subdivisions, agencies, and other state-supported activities.

The state budget passed and contained the following provisions:

- \$4 million to acquire land/design for the new Breathitt Veterinary Center.
- Environmental Stewardship Program - \$3 million for FY13 and \$2.5 million for FY14.
- \$950,000 in each fiscal year for the Division of Conservation to provide direct aid to local conservation districts.
- The county portion of the Agricultural Development Fund is \$14.2 million in FY13 and \$14 million in FY14.
- There was no change in the Kentucky Department of Agriculture budget as it remained at \$15.8 million in FY13 and \$16 million in FY14 in general fund appropriations. There was language passed to allow for the use of \$2 million in restricted funds for current activities within the Department in each fiscal year.
- Both the UK Diagnostic Laboratory and the Breathitt Veterinary Center received \$366,900 in each fiscal year for operational costs. However, language prohibiting these dollars from being reduced by future budget cuts was vetoed.

Also contained in the budget bill was language to allow a local school board district to assume the management of a state operated secondary vocational education and technology center as well as language that would allow a local school board that has operated a center for at least five years to relinquish authority of the management and control of the center to the Office of Career and Technical Education.

2012 State Priority Issues:

- Maintain allocating 50% of the Master Settlement Agreement funds to the Agricultural Development Board, and funds be spent for the purpose of improving the net farm income of individual farmers in production agriculture.
- Support state funding for new facilities for the Breathitt Veterinary Center in Hopkinsville.
- Support continued funding of the Soil Erosion & Water Quality Cost-Share Program.
- Support an efficient, well administered and adequately financed Kentucky Department of Agriculture.

HB 344: Rep. S. Rudy (R), Rep. F. Nesler (D), Rep. M. Dossett (R), and Rep. M. Henley (D) – AN ACT relating to the release of wild hogs or pigs.

This bill will create a new section of KRS Chapter 150 to prohibit releasing a feral or wild hog into the wild and set a fine and penalty to prohibit hunting, fishing, trapping, or being a commercial guide for a period of ten years and included a penalty of a Class A misdemeanor for the releasing of hogs into the wild.

2012 State Priority Issue:

“Recommend the Kentucky Department of Fish and Wildlife Resources eradicate the feral hogs in Kentucky.”

HB 390: Rep. T. Pullin (D), Rep. J. Crenshaw (D), Rep. D. Floyd (R), Rep. J. Jenkins(D), Rep. R. Nelson (D), Rep. M. Nemes (R), and Rep. R. Palumbo (D) – AN ACT relating to metal.

This bill will establish a registration system for secondary metal recyclers and would also require a background check and record keeping for secondary metal recyclers.

Farm Bureau Policy:

"We urge recyclers to record the name, address, and obtain a copy of a photo ID of individuals who bring in farm machinery to discourage the recycling of stolen equipment."

HB 440: Rep. M. Denham (D) – AN ACT relating to agri-tourism.

This bill will create new sections of KRS 247.800 to 247.810 to define "agritourism", "agritourism activity", "agritourism professional", "inherent risks of agritourism activity", and "participant". This bill will also establish liability protection for agritourism professionals and establish conditions under which agritourism professionals are not protected from liability, it will also require warning notices to be posted at places that conduct agritourism activities.

Farm Bureau Policy:

"We support actions to ensure that farmers be protected from undue liability and nuisance suits".

HB 518: Rep. McKee (D), Rep. Denham (D), Rep. C. Miller (D), Rep. Steele (D) – AN ACT relating to vehicles and declaring an emergency.

This bill will add members to the waste tire working group by requiring that the appointee who is a county judge/executive be appointed by the Governor from a list of three nominees submitted by the Kentucky County Judge/Executive Association; add a member to the working group who is a mayor to be appointed by the Governor from a list of three nominees submitted by the Kentucky League of Cities and add a member to the working group who is a representative of private industry engaged in the business of retail tire sales. This bill was amended in the Senate to state the cabinet (transportation) shall not promulgate administrative regulations pursuant to this section setting forth escort vehicle requirements for overdimensional farm implements or vehicles towing overdimensional farm implements that are more stringent than the following:

1. For a single vehicle and load in excess of twelve (12) feet in width being operated on a two (2) lane highway, no more than one (1) lead vehicle shall be required;
2. For a single vehicle and load in excess of twelve (12) feet in width being operated on a four (4) lane highway, no more than one (1) trail vehicle shall be required;
3. For a single vehicle and load in excess of eighty-five (85) feet in length being operated on a two (2) lane highway, no more than one (1) lead vehicle shall be required;
4. For more than one vehicle and load in excess of twelve (12) feet in width or eighty-five (85) feet in length being operated as a convoy on a two (2) lane highway, no more than one (1) lead vehicle shall be required;
5. A lead escort vehicle on a two (2) lane highway under this paragraph may also serve as a tow vehicle;
6. Any distance for lead or trail escort vehicles shall contain provisions allowing for a variance from that distance due to safety or road conditions; and
7. A vehicle or its escort shall be required to bear a sign declaring that the vehicle is oversized or be required to use lights, flashers, or flags, but a vehicle or its escort shall not be required to do both.

Farm Bureau Policy:

"We support legislation that clearly defines the right of farmers to transport their products to market and to move their equipment by the most economically feasible method."

HCR 29: Rep. D. Graham (D), Rep. R. Palumbo (D), Rep. Rep. S. Riggs (D)

This resolution stated the increased outdoor participation of Kentucky's children and young adults is a public policy goal of the Commonwealth. Public institutions in the Commonwealth serving children and young adults are encouraged to offer, promote, and encourage free play opportunities, outdoor

experiences, and field trips to natural areas and venues that provide right-brain learning which stimulates creativity and innovation. It is hereby declared the sentiment of the General Assembly that children in Kentucky, as a part of their childhood development, are encouraged to fish, swim, paddle, ski, wade, splash, or otherwise enjoy a Kentucky stream, creek, river, or lake, hike, hunt, bird watch, view elk and other wildlife, and explore Kentucky's natural wilderness areas, parks, trails, woods, natural habitats, farms, and agri-tourism establishments, bike in safe areas and routes to schools, recreation and park areas, neighborhood stores, and shops, enjoy kid-friendly parks, attend school activities, extracurricular events, and free play opportunities that inspire and hopefully instill a culture of learning that develop balanced right-brain and left-brain learning and that promote the concepts of No Child Left Inside and assist, advise, and promote access to outdoor areas and opportunities.

Farm Bureau Policy:

"We support a physical activity as part of the school curriculum for grades K-12."

HR 62: Rep. R. Rand (D), Rep. R. Adams(D), Rep. J. DeCesare (R), Rep. M. Dossett (R), Rep. S. Gregory (R), Rep. T. Kerr (R), Rep. M. King (D), Rep. T. McKee (D), Rep. T. Moore (R), Rep. D. Osborne (R), Rep. J. Tilley (D), Rep. B. Waide (R), Rep. A. Wuchner (R), Rep. B. Yonts (D)

This resolution urged the U.S. Department of Labor to withdraw its proposed rule relating to child farm labor.

HR 128: Rep. W. Stone (D), Rep. T. McKee (D), Rep. J. Bell (D), Rep. M. Denham (D), Rep. J. Gooch Jr. (D), Rep. M. Meredith (R), Rep. R. Quarles (R), Rep. S. Westrom (D).

SR 130: Sen. P. Hornback (R), Sen. J. Pendleton (D), Sen. W. Blevins Jr.(D), Sen. J. Bowen(R), Sen. T. Buford (R), Sen. J. Carpenter (R), Sen. J. Carroll (D), Sen. P. Clark (D), Sen. J. Denton (R), Sen. C. Gibson (R), Sen. D. Givens (R), Sen. D. Harper Angel (D), Sen. E. Harris (R), Sen. J. Higdon (R), Sen. T. Jensen (R), Sen. R. Jones II (D), Sen. A. Kerr (R), Sen. B. Leeper (I), Sen. V. McGaha (R), Sen. G. Neal (D), Sen. R. Palmer II (D), Sen. D. Parrett (D), Sen. J. Rhoads (D), Sen. D. Ridley (D), Sen. J. Schickel (R), Sen. D. Seum (R), Sen. T. Shaughnessy (D), Sen. B. Smith (R), Sen. K. Stein (D), Sen. K. Stine (R), Sen. R. Stivers II (R), Sen. D. Thayer (R), Sen. J. Turner (D), Sen. R. Webb (D), Sen. J. Westwood (R), Sen. D. Williams (R), Sen. M. Wilson (R), Sen. K. Winters (R)

Both HR 128 and SR 130 urged the Presidential Administration, the U.S. Trade Representative, and the United States Department of Agriculture Secretary to include tobacco and tobacco products within the scope of the Trans-Pacific Partnership trade agreement currently being negotiated.

HR 156: Rep. T. McKee (D) and SR 148 Sen. D Givens (R)

These resolutions honored Kentucky farmers for providing the citizens of the Commonwealth and this nation with the most nutritious and affordable food in the world, and recognizing February 19-25, 2012 as Food Checkout Week.

SB 38: Sen. J. Westwood (R) and Sen. M. Wilson (R) - AN ACT relating to career and technical education.

This legislation was commonly referred to as the career pathways bill. It will require the Department of Education to issue core content standards, assess student progress, and develop new courses relevant to college and career readiness. It will also let students determine as early as middle school a career "pathway" which they may be interested in pursuing all the way to graduation without being bound to the "pathway" **HB 28: Rep. B. Yonts (D), and HB 75: Rep. L. Belcher (D)** were bills which addressed career pathways and were very similar to SB 38.

Farm Bureau Priority Issue:

"Ensure that career and technical education remains a strong and viable program in Kentucky."

HB 1: Rep. G. Stumbo (D), Rep. J. Tilley (D), Rep. R. Adkins (D), Rep. L. Belcher (D), Rep. L. Clark (D), Rep. H. Collins (D), Rep. L. Combs (D), Rep. R. Damron (D), Rep. D. Keene (D), Rep. M. King (D),

[Rep. T. Pullin \(D\), Rep. R. Rand \(D\), Rep. R. Smart \(D\), Rep. T. Thompson \(D\), Rep. B. Yonts \(D\) - AN ACT relating to controlled substances and making an appropriation therefor.](#)

This bill was passed during the 2012 Special Session. This bill will provide ownership and operational standards for pain clinics and require sharing of reports of illegal controlled substance prescribing or dispensing activity and to require that boards that regulate prescribers and dispensers of controlled substances have mandatory prescribing and dispensing standards, limitation caps on the amount of certain substances which can be dispensed, processes for expedited action on controlled substance related complaints against their licensees, sharing and retrieving mechanisms for interstate disciplinary data on licensees, mandatory disciplinary standards for in-state and out-of-state controlled substance misconduct by licensees, continuing education requirements for licensees, access to expert advice when reviewing complaints, the ability to accept anonymous complaints, and that the boards cooperate with each other and with the boards of other states. It will also establish statutory practice requirements for those who prescribe certain controlled substances and set requirements for KASPER registration, usage, and access.

Farm Bureau Policy:

"We urge pain management clinics be subject to increased regulatory scrutiny."

[HB 2: Rep. R. Rand \(D\), Rep. S. Overly \(D\), Rep. R. Adkins \(D\), Rep. L. Belcher \(D\), Rep. L. Clark \(D\), Rep. H. Collins \(D\), Rep. L. Combs \(D\), Rep. R. Damron \(D\), Rep. M. King \(D\), Rep. J. Richards \(D\), Rep. R. Smart \(D\), Rep. G. Stumbo \(D\), Rep. T. Thompson \(D\), Rep. B. Yonts \(D\) – AN ACT relating to appropriations providing financing and conditions for the operations, maintenance, support, and functioning of the Transportation Cabinet of the Commonwealth of Kentucky.](#)

This bill was passed during the 2012 Special Session. This was the Transportation Budget bill and it did maintain the 22.2% percent allocation to the rural and county road aid programs.

2012 State Priority Issue:

"Support the rural and county aid programs and continuation of the 22.2% allocation of the state gasoline tax revenue for rural roads."

BILLS FARM BUREAU OPPOSED THAT PASSED

There were no bills passed in this session that Farm Bureau opposed.

BILLS FARM BUREAU OPPOSED THAT DID NOT PASS

[HB 127: Rep. J. Wayne \(D\), Rep. T. Burch \(D\), Rep. K. Flood \(D\), Rep. J. Jenkins \(D\), Rep. M. Marzian \(D\), Rep. R. Meeks \(D\), Rep. D. Owens \(D\), Rep. R. Palumbo \(D\), Rep. R. Smart \(D\), Rep. S. Westrom \(D\) - AN ACT relating to taxation.](#)

This bill would have decoupled from changes to the federal estate tax since 2003 and provided for a phase-out of the pension exclusion. It would have also provided for changes to income tax rates and to impose the tax on adjusted gross income and provided for a refundable earned income credit. It would have also imposed sales tax on selected services.

Farm Bureau Policy:

"We support the permanent repeal of Kentucky's estate tax."

[HB 289: Rep. S. Westrom \(D\), Rep. J. Adams \(R\), Rep. L. Belcher \(D\), Rep. T. Burch \(D\), Rep. B. Farmer \(R\), Rep. K. Flood \(D\), Rep. J. Glenn \(D\), Rep. J. Jenkins \(D\), Rep. M. Marzian \(D\), Rep. D. Owens \(D\), Rep. R. Palumbo \(D\), Rep. T. Riner \(D\), Rep. R. Smart \(D\), Rep. G. Stumbo \(D\), Rep. D. Watkins \(D\), and Rep. J. Wayne \(D\) – AN ACT prohibiting smoking in public places and places of employment.](#)

This bill would prohibit indoor smoking in businesses, places of employment, and other listed public places it would exempt private residences, unless used for child care or adult day care and permit

smoking in designated non-enclosed areas. It would also require posting of "no smoking" signs as specified locations, permit political subdivisions of the Commonwealth to adopt stricter regulations by ordinance and provide for enforcement by all peace officers and health department employees.

Farm Bureau Policy:

"We believe business owners should have the exclusive right to prohibit tobacco use in their private business. We are adamantly opposed to any level of government or agency mandating that businesses prohibit tobacco use."

HB 479: Rep. R. Palumbo (D), Rep. L. Belcher (D), and Rep. C. Miller (D) – AN ACT relating to the protection of animals.

This bill would have amended KRS 525.135 relating to torture of a dog or cat to apply its provisions to all animals.

Farm Bureau Policy:

"We oppose legislation that would give animal rights organizations the right to establish standards for the raising, handling, feeding, housing or transportation of livestock, poultry, aquaculture and fur bearing animals."

HB 492: Rep. M. Marzian (D), Rep. W. Hurt (D), and Rep. M. Nemes (R) – AN ACT relating to collective bargaining.

This bill would have permitted all employees of local governments that are members of and pay dues to a public entity, defined in KRS 65.310, to bargain collectively.

Farm Bureau Policy:

"We strongly oppose any mandate that would require any government entities to recognize and collectively bargain with employee unions."

SB 47: Sen. J. Schickel (R), Sen. P. Clark (D), Sen. B. Leeper (I), Sen. R. Webb (D), Sen. M. Wilson (R) – AN Act relating to livestock.

This bill would have originally allowed the sale of raw milk at a farm site. It was later amended to affirm individuals' rights to enter into shared ownership arrangements for livestock and poultry and to affirm individuals' rights to use and consume livestock and poultry products; direct that no state permit is required for shared ownership arrangements for livestock and poultry.

Farm Bureau Policy:

"We strongly urge that all milk utilized for human fluid consumption be pasteurized. We oppose legislation that could lessen public health regulations on fluid milk for human consumption."

SB 156: Sen. D. Harper Angel (D), Sen. J. Pendleton (D), and Sen. W. Blevins Jr. (D) – AN ACT relating to firefighters and police officers in second class cities.

This bill would have provided collective bargaining for police officers and firefighters in a second class city.

Farm Bureau Policy:

"We strongly oppose any mandate that would require any government entities to recognize and collectively bargain with employee unions."

BILLS FARM BUREAU SUPPORTED THAT DID NOT PASS

HB 26: Rep. L. Napier (R), Rep. J. Adams (R), Rep. R. Adams (D), Rep. J. Arnold Jr. (D), Rep. L. Belcher (D), Rep. J. Bell (D), Rep. K. Bratcher (R), Rep. R. Bunch (R), Rep. D. Butler (R), Rep. J. Carney (R), Rep. M. Cherry (D), Rep. H. Collins (D), Rep. T. Couch (R), Rep. W. Coursey (D), Rep. R. Crimm (R), Rep. R. Damron (D), Rep. J. DeCesare (R), Rep. B. DeWeese (R), Rep. M. Dossett (R), Rep.

[T. Edmonds \(D\), Rep. C. Embry Jr. \(R\), Rep. B. Farmer \(R\), Rep. J. Fischer \(R\), Rep. D. Ford \(R\), Rep. J. Gooch Jr. \(D\), Rep. J. Greer \(D\), Rep. S. Gregory \(R\), Rep. M. Harmon \(R\), Rep. R. Henderson \(D\), Rep. M. Henley \(D\), Rep. J. Hoover \(R\), Rep. B. Housman \(R\), Rep. W. Hurt \(D\), Rep. D. Keene \(D\), Rep. T. Kerr \(R\), Rep. K. King \(R\), Rep. M. King \(D\), Rep. S. Lee \(R\), Rep. D. Mayfield \(R\), Rep. M. Meredith \(R\), Rep. C. Miller \(D\), Rep. T. Mills \(D\), Rep. B. Montell \(R\), Rep. T. Moore \(R\), Rep. R. Nelson \(D\), Rep. M. Nemes \(R\), Rep. F. Nesler \(D\), Rep. D. Osborne \(R\), Rep. R. Quarles \(R\), Rep. M. Rader \(R\), Rep. J. Richards \(D\), Rep. S. Santoro \(R\), Rep. J. Short \(D\), Rep. R. Smart \(D\), Rep. F. Steele \(D\), Rep. W. Stone \(D\), Rep. G. Stumbo \(D\), Rep. T. Thompson \(D\), Rep. B. Waide \(R\), Rep. A. Wuchner \(R\), and Rep. J. York \(R\) – AN ACT relating to eligibility for public assistance.](#)

This bill would have amended KRS 205.200 to create a substance abuse screening program for adult recipients of public assistance, food stamps, and state medical assistance.

Farm Bureau Policy:

“We support the idea that those who receive SSI, food stamps, housing, or other government welfare payments should have to submit to random drug testing.”

[HB 105: Rep. R. Nelson \(D\), Rep. L. Belcher \(D\), Rep. R. Bunch \(R\), and Rep. J. York \(R\) – AN ACT relating to fraud prevention in the use of food stamps.](#)

This bill would have amended KRS 205.200 to require that an applicant for benefits under the food stamp program show a government-issued photo ID card at the initial interview to determine eligibility.

Farm Bureau Policy:

“We urge strong penalties when welfare fraud is identified.”

[HB 136: Rep. J. Stacy \(D\) – AN ACT relating to sales and use tax.](#)

This bill would have amended KRS 139.480 to exempt bees used in a commercial enterprise for the production of honey or wax for sale and certain items used in that pursuit.

Farm Bureau Policy:

“We recommend that all farm production items including veterinary medicine, electricity, LP gas, and natural gas be exempt from sales and use tax.”

[HB 165: Rep. M. Denham \(D\), Rep. L. Belcher \(D\), Rep. H. Collins \(D\), Rep. T. Edmonds \(D\), Rep. C. Embry Jr. \(R\), Rep. J. Hoover \(R\), Rep. D. Keene \(D\), K. King \(R\), Rep. M. King \(D\), Rep. T. McKee \(D\), Rep. M. Rader \(R\), Rep. R. Rand \(D\), Rep. J. Richards \(D\), Rep. S. Riggs \(D\), Rep. J. Short \(D\), Rep. J. Stacy \(D\), Rep. F. Steele \(D\), Rep. J. Stewart III \(R\), Rep. W. Stone \(D\), Rep. T. Thompson \(D\), Rep. J. Tilley \(D\), Rep. J. York \(R\) - AN ACT relating to transportation.](#)

Amend KRS 189.030 to require illumination of headlights during any period of precipitation that necessitates the use of windshield wipers by motorists.

Farm Bureau Policy

“We support legislation requiring headlights being illuminated if windshield wipers are in use.”

[HB 205: Rep. R. Adams \(D\), Rep. S. Overly \(D\), Rep. L. Belcher \(D\), Rep. J. Bell \(D\), Rep. R. Damron \(D\), Rep. M. Denham \(D\), Rep. C. Embry Jr. \(R\), Rep. K. Flood \(D\), Rep. D. Graham \(D\), Rep. R. Henderson \(D\), Rep. T. McKee \(D\), Rep. M. Meredith \(R\), Rep. T. Mills \(D\), Rep. D. Osborne \(R\), Rep. R. Palumbo \(D\), Rep. R. Rand \(D\), Rep. C. Rollins II \(D\), Rep. S. Santoro \(R\), Rep. W. Stone \(D\), Rep. A. Webb-Edgington \(R\), Rep. S. Westrom \(D\) – AN ACT relating to sales and use taxes.](#)

This bill would have exempted from sales and use tax sales of machinery, machinery attachments, repair parts, replacement parts, feed and feed additives, water, farm chemicals, on-farm equine facilities, fuel to operate machinery, seed and commercial fertilizer, if the property is purchased by a person regularly engaged in the occupation of breeding, raising, training, racing, or exhibiting equine as a business and the property is exclusively and directly used in that occupation.

Farm Bureau Policy:

"We recommend production items associated with the equine industry be exempt from the sales and use tax."

HB 253: Rep. T. McKee (D), Rep. M. Denham (D), Rep. R. Adams (D) – AN ACT relating to agricultural districts.

This bill would have included agricultural land of five acres or more when used to form an agricultural district. It would have also specified in the definition of "agricultural land" that it includes agricultural district parcels whether brought into an existing or newly formed agricultural district.

Farm Bureau Policy:

"We support and promote the development of agricultural districts and recommend additional protection incentives to encourage farmers to form agricultural districts."

HB 285: Rep. M. Meredith (R), Rep. S. Gregory (R), Rep. J. Adams (R), Rep. B. Farmer (R), Rep. K. King (R), Rep. R. Quarles (R), Rep. B. Waide (R) - AN ACT relating to the taxation of tangible personal property used in the production of equine.

This bill would have exempted feed and feed additives, seed and commercial fertilizer, farm chemicals, farm machinery, water, equine embryos and semen, fuels, and on-farm facilities used in the production of equine from the sales and use tax.

Farm Bureau Policy:

"We recommend production items associated with the equine industry be exempt from the sales and use tax."

HB 288: Rep. M. Meredith (R), Rep. R. Quarles (R), Rep. J. Carney (R), Rep. B. Farmer (R), Rep. S. Gregory (R), Rep. K. King (R), Rep. S. Lee (R), Rep. D. Osborne (R), Rep. S. Rudy (R), Rep. W. Stone (D), Rep. J. Tilley (D), Rep. T. Turner (R), Rep. B. Waide (R), Rep. A. Webb-Edgington (R), and Rep. J. York (R) – AN ACT relating to the taxation of drugs used in the production of equine, livestock, poultry, aquatic organisms, and various farm animals.

This bill would amend KRS 139.480, relating to the sales and use tax, to exempt prescription drugs and over-the-counter drugs if used in the diagnosis, cure, mitigation, treatment, or prevention of disease in beef cattle, dairy cattle, sheep, swine, poultry, llamas, alpacas, buffalos, ratites, aquatic organisms, cervids, ratite birds, and equine

Farm Bureau Policy:

"We recommend that all farm production items including veterinary medicine, electricity, LP gas, and natural gas be exempt from sales and use tax."

HB 494: Rep. C. Rollins II (D) and Rep. L. Belcher (D) – AN ACT relating to physical activity in schools.

This bill would have amended KRS 160.345 to require each school council to establish a Coordinated School Health Committee and required each school's wellness policy to include a comprehensive daily physical activity program and allowed schools with grades K-5 to count recess as instructional minutes.

Farm Bureau Policy:

"We support a physical activity as part of the school curriculum for grades K-12."

HB 526: Rep. W. Stone (D), Rep. T. McKee (D), Rep. J. Bell (D), Rep. M. Dossett (R), Rep. R. Quarles (R), Rep. J. Tilley (D) - AN ACT relating to sales and use tax on wagons and trailers used to transport combine heads.

SB 215: Sen. D. Ridley (D), Sen. T. Buford (R), Sen. D. Givens (R), Sen. P. Hornback (R), Sen. D. Parrett (D), Sen. J. Pendleton (D), Sen. J. Rhoads (D) - AN ACT relating to sales and use tax on wagons and trailers used to transport combine heads.

Both HB 526 and SB 215 would have exempted combine header wagons and combine header trailers from sales and use tax and applied the exemption retroactively to January 1, 2008.

Farm Bureau Policy:

"We recommend that all farm production items including veterinary medicine, electricity, LP gas, and natural gas be exempt from sales and use tax."

HCR 64: Rep. L. Combs (D)

This resolution would have established a Timber Theft and Trespass Reduction Task Force to study issues regarding timber theft and trespass and to develop consensus recommendations to address those issues.

HCR 147: Rep. T. McKee (D), Rep. W. Stone (D), Rep. M. Denham (D), Rep. M. Dossett (R), Rep. M. Meredith (R), Rep. J. Tilley(D).

This resolution would have urged the United States Congress and the United States Department of Labor to take steps to reform the H-2A program, making it more efficient, reliable, economical, and user-friendly as it serves its intended purpose of providing agricultural employers with a legal means to hire farm workers if needed.

Farm Bureau Policy:

"We support a meaningful agricultural temporary worker program and encourage the following reforms, a streamlined system to receive workers, a change from the Adverse Effect Wage Rate (AEWR) to the agricultural prevailing wage rate."

SB 30: Sen. J. Denton (R) and HB 240: Rep. J. Jenkins (D), Rep. A. Koenig (R) – AN ACT proposing to amend Section 99 of the Constitution of Kentucky relating to the office of Constable.

This bill would have proposed to amend Section 99 of the Constitution of Kentucky to abolish the office of Constable; submit to the voters of the Commonwealth for approval or disapproval.

Farm Bureau Policy:

"We recommend the office of Constable be abolished."

SB 42: Sen. J. Higdon (R) and Sen. R. Webb (D) – AN ACT relating to pain management facilities and declaring an emergency.

This bill would have created a new section of Chapter KRS 311 to define "board", "facility", "physician", and "pain management facility" and required that all pain management facilities be licensed. It would have also required the State Board of Medical Licensure to promulgate administrative regulations related to pain management facilities. **Portions of this bill was incorporated into HB1 passed in the special session.**

Farm Bureau Policy:

"We urge pain management clinics be subject to increased regulatory scrutiny."

SB 184: Sen. K. Winters (R) – AN ACT relating to reorganization.

This bill would have established the Career and Technical Education Advisory Committee, and would permit a local board of education to petition the commissioner of education to assume management and control of a state-operated secondary vocational education and technology center. It would remove the Office of Career and Technical Education and the Kentucky Technical Education Personnel Board from the Education and Workforce Development Cabinet to establish the authority of the commissioner of education over the Office of Career and Technical Education.

Farm Bureau Policy:

"Ensure that career and technical education remains a strong and viable program in Kentucky."

OTHER BILLS OF INTEREST THAT PASSED

HB 419: Rep. F. Nesler (D), Rep. T. Turner (R), Rep. R. Adams (D), Rep. J. Greer (D), Rep. T. McKee (D), Rep. S. Westrom (D) - AN ACT relating to an income tax check-off for local food banks.

This bill will establish a check-off for contributions to the farms to food banks trust fund from a state individual income tax refund. It will also rename the surplus agricultural commodities fund as the farms to food banks trust fund and require a plan for expenditure of the funds and an annual report.

SB 75: Sen. K. Winters (R), Sen. D. Thayer (R), Sen. P. Clark (D), Sen. D. Givens (R), Sen. P. Hornback (R), Sen. T. Jensen (R), Sen. D. Parrett (D), Sen. J. Pendleton (D), Sen. J. Schickel (R), Sen. J. Westwood (R) - AN ACT relating to slow-moving vehicles and declaring an emergency.

This bill will provide an alternative lighting system for motorless vehicles operated on a highway at night and also provide for an alternative means of marking motorless, slow-moving vehicles with reflective tape rather than using the slow-moving vehicle emblem.

SB 92: Sen. D. Givens (R) - AN ACT relating to agriculture.

This bill will amend KRS 261.230 to require buying stations to be licensed, to require stockyards to annually identify dealers that conduct business with the stockyards, and to verify that dealers are properly licensed and bonded; amend KRS 261.240 to require buying stations to file monthly reports to the department regarding the number of livestock received and sold; amend KRS 261.250 to require buying stations to permit the department to inspect their business records; amend KRS 261.260 to require buying stations to be bonded and to require each facility to show independent proof of credit worthiness; amend KRS 261.270 to require buying stations to use certified weigh scales; amend KRS 261.280 to prohibit buying stations from misweighing livestock; amend KRS 261.990 to impose additional fines and penalties for stockyards and buying stations that violate provisions of the chapter; amend KRS 261.370 to conform; create a new section of KRS Chapter 261 to require market agencies to be licensed by the department.

OTHER BILLS OF INTEREST THAT DID NOT PASS

HB 103: Rep. J. Glenn (D) - AN ACT relating to research and making an appropriation therefor.

This bill would have annually remove one percent of the balance in the budget reserve trust fund to be divided equally between the Kentucky alternative fuel and renewable energy fund, the rural development fund, and the water quality account of the infrastructure revolving fund, to be used for research and development. It would have also established the alternative fuel research trust fund, the water quality account and an agricultural production research account.

HB 115: Rep. F. Nesler (D), Rep. J. Glenn (D), Rep. R. Smart (D) – AN ACT relating to catfish.

This bill would have created a new sections of KRS 217.005 to 217.215 to define "catfish" and "retail food establishment" and would have required retail food establishments to notify consumers of the country of origin of catfish sold in their establishments by means of a label, menu, or other sign. It would have also required retail food establishments that advertise the sale of catfish to notify consumers of the country of origin of the catfish in the advertisement and required the retail food establishments to maintain records of the country of origin of catfish sold. .

HCR 100: Rep. R. Meeks (D)

This resolution would have directed the Legislative Research Commission to study whether counties should be offered the option of conducting elections in centralized voting centers rather than in voting precincts.

[SB 165: Sen. J. Pendleton \(D\), Sen. P. Hornback \(R\), Sen. J. Bowen \(R\), Sen. J. Carpenter \(R\), Sen. J. Denton \(R\), Sen. D. Givens \(R\), Sen. E. Harris \(R\), Sen. R. Jones II \(D\), Sen. A. Kerr \(R\), Sen. B. Leeper \(I\), Sen. V. McGaha \(R\), Sen. J. Schickel \(R\), Sen. D. Seum \(R\), Sen. T. Shaughnessy \(D\), Sen. B. Smith \(R\), Sen. R. Stivers II \(R\), Sen. D. Thayer \(R\), Sen. R. Webb \(D\), Sen. J. Westwood \(R\), Sen. D. Williams \(R\), Sen. M. Wilson \(R\), Sen. K. Winters \(R\) – AN ACT relating to the State Fair Board and declaring an emergency.](#)

This bill would have required that State Fair Board members appointed by the Governor be subject to confirmation by the Senate and permit each board member to be reappointed only once.

Note: The Final Legislative Report and KFB's Priority Issues are also included on KFB's website at kyfb.com.