

# 2014 Capitol Report

## KSBA Goes to Washington

School board members from across the Commonwealth and KSBA staff attended NSBA's Advocacy Institute in Washington, D.C., Feb. 2-4. The conference began Sunday with a provocative panel discussion that included proponents of education reforms such as vouchers and charter schools. The audience responded with many questions, but it was an excellent discussion from multiple viewpoints. Later that evening, author and *Washington Post* associate editor Bob Woodward spoke to the group about the current political climate in Washington.



Monday, participants spent the day preparing for meetings with the state's Congressional delegation. NSBA staff led discussions on many topics, including the messages the group should carry to Congress, and how the organizations working against public education operate.. Presenters included KSBA's Brad Hughes, who trained participants on communications.

Tuesday, participants stormed Capitol Hill to meet with their members of Congress. All members of the Kentucky Congressional delegation, except for 1st District Rep. Ed Whitfield, personally met with Kentucky school board members in the group. Pictured above is the group with 5<sup>th</sup> District Rep. Hal Rogers, and below is the group with Sen. Mitch McConnell. It was an exciting day and the participants did an excellent job carrying the NSBA message to the Kentucky delegation.

NSBA's Legislative Agenda encompasses five messages.

- ▮ Congress should restore flexibility to local school boards in the delivery of federal programs, by co-sponsoring the *Local School Board Governance and Flexibility Act, H.R. 1386*.
- ▮ Congress should increase funding for Title I and IDEA (Individuals with Disabilities Education Act) and other education initiatives to ensure our students are globally competitive.
- ▮ Congress should reauthorize the *Elementary and Secondary Education Act* (ESEA), and include local control and flexibility to implement these programs to meet the needs of local communities.

- A large formula grant program should be created to support voluntary early childhood education programs.
- Congress should make changes to certain provisions of the Child Nutrition Reauthorization Act of 2010.

KSBA received many positive responses about these concerns, and the Kentucky school board members who attended the conference did an excellent job in leading these discussions with Kentucky's Congressional delegation.

KSBA is grateful to Durward Narramore of Jenkins Independent, Allen Kennedy of Hancock County, Ed Massey of Boone County, Debbie Wesslund and Linda Duncan of Jefferson County and John Lackey of Madison County for their hard work on Capitol Hill on Tuesday.



### **HB 170 passes the Appropriations and Revenue Committee**

House Bill 170 makes changes to the collection of the gross receipts utility tax. KSBA, in partnership with the Kentucky Finance and Administration Cabinet, worked to file legislation making it easier to collect these taxes. While the legislation will not increase revenues to school districts, failure to pass it could result in future lost revenues. The legislation clarifies that non-exempt energy purchases subject to this tax are submitted directly to the Department of Revenue, instead of through the utility provider. It also clarifies the two-year statute of limitations on refund requests for all parties subject to the tax. Finally, the legislation sets a timeline for appeals when a consumer is denied a refund. Currently, the statute does not set a deadline, but this legislation will make the deadline 30 days from the notice of a refund denial.

KSBA thanks Rep. Kelly Flood (D-Lexington) for sponsoring this legislation, and Rep. Wilson Stone (D-Scottsville) for co-sponsoring it. Shelby County Schools Finance Officer Greg Murphy helped the cause by testifying on the legislation. [Click to view the legislation.](#)

### **House Education Committee Passes Key Bills**

The House Education Committee approved a few key pieces of legislation during its meeting Tuesday. The committee passed HB 75, sponsored by Rep. Derrick Graham (D-Frankfort), which revamps the new superintendent training and assessment program. The bill increases the number of topics covered in the program and gives new superintendents two years to complete it.

The committee also passed HB 77, requiring the state Education Department to create a financial literacy program.

The 12 hours of instruction in financial literacy would be embedded in the curriculum throughout the school year and not be a stand-alone course. HB 77 is sponsored by Rep. Rick Nelson (D-Middlesboro). [Click to view HB 77](#). A similar bill addressing financial literacy requires a commission be established in the Office of the State Treasurer. HB 223, sponsored by Rep. Jim Glenn (D-Owensboro), also would establish a financial literacy fund. [Click to view HB 223](#).

### **Senate Education Committee Meets**

The Senate Education Committee met Feb. 6 and discussed only one bill, SB 89. SB 89, sponsored by Sen. Jimmy Higdon (R-Lebanon) allows school councils to add more rigorous curriculum standards, above and beyond the Common Core State Standards. The legislation also sets out requirements to protect student data. The bill is designed to address concerns that have been raised about student data being sold to companies to be used for research. [Click to view SB 89](#).

### **Governor Beshear unveils tax reform package**

Kentucky Gov. Steve Beshear announced his long-awaited tax reform package on Tuesday, called “Kentucky Competes.”

Kentucky Competes includes 22 recommendations, most of which were discussed in the report issued by the Governor’s Blue Ribbon Commission on Tax Reform. The plan features a combination of tax increases and tax breaks and is not “revenue neutral;” the estimated annual impact upon implementation is almost \$210 million. This roughly equals the state’s current structural imbalance.

Beshear’s proposal includes a 40-cent per pack increase in the cigarette tax , but he also would like to levy a tax on electronic cigarettes to reflect their growing popularity. The governor proposed increasing taxes on retirement income for many Kentuckians, but this does not include Social Security. The proposal also includes an expansion of the sales tax to some services, specifically, installation, maintenance and repair of taxable personal property; admissions and recreational activities; and limited commercial, residential and personal services.

At the unveiling of the plan, Beshear was flanked by Lt. Gov. Jerry Abramson, who chaired the tax reform group, and House Appropriations and Revenue Committee Chairman Rick Rand. Rand will file a “vehicle bill” to simply act as a placeholder for the plan. The bill will be empty until lawmakers reach a consensus on its provisions; the House Appropriations and Revenue Committee will begin hearings on the Kentucky Competes plan next week. The governor made it clear in his remarks that he would not put legislative members on the spot for a vote until they reach consensus. When asked if he supports the plan, Rand was quick to assert that his role as sponsor and committee chair is to simply be a facilitator for the discussion.

### **KSBA Kids First Advocacy Speakers Announced**

House Speaker Greg Stumbo and Senate President Robert Stivers will speak at the Kids First Advocacy Conference the morning of Feb. 20. We hope you will be able to join us Feb. 19-20 in Frankfort.

To sign up for the conference, please click the following link, [Register for the KSBA Kids First Advocacy Conference](#).

If you plan to attend, please don’t forget to contact your legislators to request a meeting on Feb. 20, and personally invite them to attend the reception on Feb. 19 at the Capital Plaza Hotel.

### **Real-time Legislative Updates**

If you are a political junkie who can’t wait for the legislative update to find out information about the session, KSBA has a service for you. KSBA provides real-time legislative updates through Facebook and Twitter. If you are interested in receiving this information, sign up on the [KSBA Facebook page](#). Facebook membership is not required to access this page, but Facebook members who click on "Like" at top left get updates posted to their Facebook pages. To follow KSBA on Twitter go to <http://twitter.com/#!/ksbanews>. Many thanks to Brad Hughes for working with the KSBA governmental relations team to get this information to you.

## Education Legislation

<a href="#"><u>HB 0020</u></a> Nelson, Rick	AN ACT relating to the employment of public school teachers. 1/7/2014 - House - to Education (H)
<a href="#"><u>HB 0026</u></a> Rowland, Bart	AN ACT relating to school district employee health insurance. 1/7/2014 - House - to State Government (H)
<a href="#"><u>HB 0033</u></a> Terry Mills	AN ACT relating to injury prevention and making an appropriation therefore. 1/7/2014 - House - to Transportation (H)
<a href="#"><u>HB 0044</u></a> Kim King	AN ACT relating to school notification of persons authorized to contact or remove a child. 1/7/2014 - House - to Education (H)
<a href="#"><u>HB 0059</u></a> Nelson, Rick	AN ACT relating to school-based decision making councils. 1/7/2014 - House - to Education (H)
<a href="#"><u>HB 0075</u></a> Graham, Derrick W.	AN ACT relating to training and assessment of new superintendents and declaring an emergency. 2/7/2014 - House - 3rd reading, passed 96-0
<a href="#"><u>HB 0076</u></a> Nelson, Rick	AN ACT relating to financial literacy. 1/7/2014 - House - to Education (H)
<a href="#"><u>HB 0077</u></a> Nelson, Rick	AN ACT relating to financial literacy. 2/7/2014 - Senate - received in Senate
<a href="#"><u>HB 0083</u></a> Bratcher, Kevin D.	AN ACT relating to status offenders. 2/5/2014 - House - WITHDRAWN
<a href="#"><u>HB 0085</u></a> Montell, Brad	AN ACT relating to charter schools and making an appropriation therefor. 1/7/2014 - House - to Education (H)
<a href="#"><u>HB 0098</u></a> Damron, Robert R.	AN ACT relating to safety in schools for students with diabetes. 2/6/2014 - Senate - 2nd reading, to Rules
<a href="#"><u>HB 0111</u></a> Graham, Derrick W.	AN ACT relating to school-based decision making councils and declaring an emergency. 1/7/2014 - House - to Education (H)
<a href="#"><u>HB 0113</u></a> John Short	AN ACT relating to school holidays. 1/7/2014 - House - to Education (H)
<a href="#"><u>HB 0121</u></a> Henderson, Richard	AN ACT relating to school safety and communication. 1/8/2014 - House - to Education (H)
<a href="#"><u>HB 0141</u></a> Terry Mills	AN ACT relating to tax credits to promote quality education in Kentucky. 1/8/2014 - House - to Appropriations & Revenue (H)
<a href="#"><u>HB 0170</u></a> Flood, Kelly	AN ACT relating to the utility gross receipts license tax for schools. 2/7/2014 - House - taken from the Consent Orders of the Day, placed in the Regular Orders of the Day
<a href="#"><u>HB 0196</u></a> Linder, Brian	AN ACT relating to the Kentucky Educational Excellence Scholarship and making an appropriation

therefor.  
1/14/2014 - House - to Education (H)

[HB 0202](#) Rita H. Smart AN ACT relating to nonteaching time for teachers.  
1/15/2014 - House - to Education (H)

[HB 0205](#) Greer, Jeff AN ACT relating to cardiopulmonary resuscitation training in schools.  
2/6/2014 - House - posted in committee

[HB 0215](#) Kerr, Thomas Robert AN ACT relating to public school standards.  
1/16/2014 - House - to Education (H)

[HB 0219](#) Rowland, Bart AN ACT relating to the school calendar.  
1/16/2014 - House - to Education (H)

[HB 0235](#) Rand, Rick AN ACT relating to appropriations and revenue measures 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.  
1/23/2014 - House - to Appropriations %26amp; Revenue (H)

[HB 0245](#) Montell, Brad AN ACT relating to interscholastic extracurricular activity participation of students enrolled in home schools.  
1/23/2014 - House - to Education (H)

[HB 0248](#) Montell, Brad AN ACT relating to scholarships for at-risk children.  
1/27/2014 - House - to Appropriations %26amp; Revenue (H)

[HB 0254](#) Lee, Jimmie AN ACT relating to education.  
2/6/2014 - House - posted in committee

[HB 0259](#) Kay II, James AN ACT relating to sales and use taxes.  
1/27/2014 - House - to Appropriations %26amp; Revenue (H)

[HB 0266](#) York, Jill AN ACT relating to school safety.  
1/29/2014 - House - to Education (H)

[HB 0285](#) Hoover, Jeff AN ACT relating to the selection of the commissioner of education.  
1/30/2014 - House - to Education (H)

[HB 0323](#) Yonts, Brent AN ACT relating to the Public Pension Oversight Board.  
2/5/2014 - House - to State Government (H)

[HB 0326](#) Hoover, Jeff AN ACT relating to interscholastic athletics.  
2/5/2014 - House - to Education (H)

[HB 0332](#) Graham, Derrick W. AN ACT relating to early childhood.  
2/6/2014 - House - posted in committee

[HB 0333](#) Graham, Derrick W. AN ACT relating to the Kentucky Teachers' Retirement System and declaring an emergency.  
2/6/2014 - House - posted in committee

[HB 0341](#) Tilley, John AN ACT relating to books for preschool children and making an appropriation therefor.  
2/6/2014 - House - to Education (H)

[SB 0013](#) Schickel, John AN ACT relating to school funding.  
1/13/2014 - Senate - to Education (S)

<a href="#"><u>SB 0016</u></a>	Givens, David P.	AN ACT relating to computer programming languages in public schools. 2/3/2014 - House - to Education (H)
<a href="#"><u>SB 0030</u></a>	Denton, Julie	AN ACT relating to safety in schools for students with diabetes. 1/13/2014 - Senate - to Education (S)
<a href="#"><u>SB 0032</u></a>	Buford, Tom	AN ACT relating to hearing exams for school children. 1/13/2014 - Senate - to Education (S)
<a href="#"><u>SB 0039</u></a>	Jones II, Ray S.	AN ACT relating to school employees. 1/13/2014 - Senate - to Education (S)
<a href="#"><u>SB 0042</u></a>	Kerr, Alice Forgy	AN ACT relating to sexual abuse and harassment education. 1/13/2014 - Senate - to State %26amp; Local Government (S)
<a href="#"><u>SB 0055</u></a>	Givens, David P.	AN ACT relating to funds to support education excellence in Kentucky. 2/3/2014 - House - to Education (H)
<a href="#"><u>SB 0087</u></a>	Stan Humphries	AN ACT relating to the Kentucky Educational Excellence Scholarship and making an appropriation therefor. 2/6/2014 - House - received in House
<a href="#"><u>SB 0089</u></a>	Higdon, Jimmy	AN ACT relating to public school standards. 2/6/2014 - Senate - reported favorably, 2nd reading, to Rules with Committee Substitute
<a href="#"><u>SB 0121</u></a>	Mike Wilson	AN ACT relating to reorganization. 2/7/2014 - Senate - to Education (S)
<a href="#"><u>SB 0126</u></a>	Higdon, Jimmy	AN ACT relating to a school district's recognition of and education regarding traditional winter celebrations. 2/6/2014 - Senate - introduced in Senate

<b>Legislation of Interest</b>
--------------------------------

<a href="#"><u>HB 0008</u></a>	Tilley, John	Dating Violence 1/15/2014 - House - recommitted to Judiciary (H)
<a href="#"><u>HB 0021</u></a>	Nelson, Rick	AN ACT relating to sales and use tax holidays and declaring an emergency. 1/7/2014 - House - to Appropriations & Revenue (H)
<a href="#"><u>HB 0040</u></a>	Rita H. Smart	AN ACT relating to anti-bullying. 1/28/2014 - Senate - to State %26amp; Local Government (S)
<a href="#"><u>HB 0064</u></a>	Owens, Darryl	AN ACT relating to criminal records. 2/5/2014 - House - recommitted to Judiciary (H)
<a href="#"><u>HB 0067</u></a>	Clark, Larry	AN ACT proposing an amendment to Section 226 of the Constitution of Kentucky relating to casino gaming. 1/7/2014 - House - to Licensing & Occupations (H)



<a href="#"><u>HB 0068</u></a> Clark, Larry	AN ACT relating to gaming and making an appropriation therefor. 1/7/2014 - House - to Licensing & Occupations (H)
<a href="#"><u>HB 0232</u></a> Riggs, Steven	AN ACT relating to security breach notifications. 1/22/2014 - House - to Labor & Industry (H)
<a href="#"><u>HB 0292</u></a> Pullin, Tanya	AN ACT relating to campaign finance reports. 2/4/2014 - House - posted in committee
<a href="#"><u>HB 0311</u></a> Watkins, David	AN ACT relating to immunizations. 2/5/2014 - House - posted in committee
<a href="#"><u>HB 0324</u></a> Yonts, Brent	AN ACT relating to Kentucky Retirement Systems. 2/5/2014 - House - to State Government (H)
<a href="#"><u>HB 0329</u></a> Rand, Rick	AN ACT relating to revenue and taxation. 2/5/2014 - House - to Appropriations & Revenue (H)
<a href="#"><u>HB 0350</u></a> Marzian, Mary Lou	AN ACT relating to medical cannabis. 2/6/2014 - House - introduced in House
<a href="#"><u>HC 0r11</u></a> Imes, Kenny	Encourage the Kentucky High School Athletic Association, local school districts, and schools to voluntarily promote trapshooting as a high school sport. 1/7/2014 - House - to Education (H)
<a href="#"><u>SB 0001</u></a> Joe Bowen	AN ACT proposing to amend Section 29 of the Constitution of Kentucky relating to administrative regulations. 2/6/2014 - House - received in House
<a href="#"><u>SB 0006</u></a> McDaniel, Christian	AN ACT relating to the disclosure of public retirement information. 1/13/2014 - Senate - to State & Local Government (S)
<a href="#"><u>SB 0020</u></a> Jared K. Carpenter	AN ACT related to anti-bullying. 2/6/2014 - House - to State Government (H)
<a href="#"><u>SB 0033</u></a> Seum, Dan "Malano"	AN ACT proposing a new section of the Constitution of Kentucky relating to casino gambling. 1/13/2014 - Senate - to State & Local Government (S)
<a href="#"><u>SB 0093</u></a> McDaniel, Christian	AN ACT relating to forfeiture of retirement benefits. 1/28/2014 - Senate - to State & Local Government (S)

### Legislation on the Move

<a href="#"><u>HB 0001</u></a> Stumbo, Greg	AN ACT relating to wages. 2/7/2014 - Senate - received in Senate
<a href="#"><u>HB 0077</u></a> Nelson, Rick	AN ACT relating to financial literacy. 2/7/2014 - Senate - received in Senate
<a href="#"><u>HB 0079</u></a> Richards, Jody	AN ACT relating to the enrollment of refugee or legal alien students in

schools.

1/28/2014 - Senate - to Education (S)

[HB 0098](#) Damron, Robert R.

AN ACT relating to safety in schools for students with diabetes.

2/6/2014 - Senate - 2nd reading, to Rules

[HB 0154](#) Denham, Mitchel B. "Mike" AN ACT relating to schools.

2/4/2014 - Senate - to Education (S)

[SB 0089](#) Higdon, Jimmy

AN ACT relating to public school standards.

2/6/2014 - Senate - reported favorably, 2nd reading, to Rules with  
Committee Substitute

### Local Government Legislation

[HB 0005](#) Butler, Denver

AN ACT relating to the safety and security of personal information held by public agencies.

2/4/2014 - Senate - to State & Local Government (S)

[HB 0019](#) Yonts, Brent

AN ACT relating to the collection of delinquent taxes.

1/7/2014 - House - to Appropriations & Revenue (H)

[HB 0048](#) Benvenuti III, Robert

AN ACT relating to the disclosure of public retirement information.

1/7/2014 - House - to State Government (H)

[HB 0096](#) Donohue, Jeffery

AN ACT relating to public procurement.

1/7/2014 - House - to State Government (H)

[HB 0131](#) Fischer, Joseph M.

AN ACT relating to property tax.

1/8/2014 - House - to Appropriations & Revenue (H)

[HB 0138](#) Yonts, Brent

AN ACT relating to public employee health insurance.

2/7/2014 - Senate - to State & Local Government (S)

[HB 0160](#) Koenig, Adam

AN ACT relating to voluntary unification of counties.

1/9/2014 - House - to Local Government (H)

[HB 0272](#) Rand, Rick

AN ACT relating to fiscal matters.

2/7/2014 - House - floor amendment (1) filed

[HB 0276](#) Upchurch, Ken

AN ACT relating to incompatible offices.

2/7/2014 - House - 2nd reading, to Rules

[HB 0308](#) DeCesare, Jim

AN ACT relating to state and local property tax exemptions for data centers.

2/3/2014 - House - to Appropriations & Revenue (H)

[HB 0331](#) Riggs, Steven

AN ACT relating to municipal classification.

2/7/2014 - House - posted in committee

[HB 0345](#) Damron, Robert R.

AN ACT relating to the interest rate on overpayments and underpayments of tax.

2/6/2014 - House - to Appropriations & Revenue (H)



[SB 0002](#) Stivers, Robert AN ACT relating to debt.  
1/13/2014 - Senate - to State %26amp; Local Government (S)

[SB 0101](#) McDaniel, Christian AN ACT relating to the publication of local government legal advertisements.  
1/28/2014 - Senate - to State %26amp; Local Government (S)