



2010 Scorecard Vote Explanation  
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**KEY:**

**Bill No.** – First listed sponsor

[SP – New Spending Program, RB – New Regulatory Bureaucracy, NS – New Spending, NT – New Tax]

Chamber VoteID (Club recommended vote)

*Annual Cost (If available)*

Weight

**HB 38** – B.Yonts

House #117 (N)

2 An annual debate, the legislature continues to push back the adoption of modern medical guidelines because they are less lucrative in workers' compensation claims.

Senate 3/21 (N)

5

House #508 (N)

3

**HB 72** – T.Burch

House #397 (N)

*\$2,000,000*

3 This bill creates another new government program, beginning as a \$3,000,000 appropriation. The House vote lowers the appropriation to \$600,000 over two years, which is inadequate for a program originally estimated to cost \$2,000,000 per year once it was fully operational. *Not only is it a new government program we can't afford, it is demonstrably underfunded.*

The program itself is a system of colon cancer screening through the Department of Public Health that would also allow the department to charge means-tested fees for the government-provided health care service.

Senate 4/1 (N)

2 The Senate version removes funding for the legislation, but funded or not, we know it's a new program that costs \$2,000,000 per year.

House #555

(n/s)

House #556 & #564 (N)

1 The House votes twice for final passage. Since there were no "No" votes and different legislators miss each of these, we will score these two votes as a single 100-0 vote.



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**HB 98** – C.Miller

House #162, Senate 3/15 (N)

- 3 This legislation creates a new inspection regulation for manufactured home instillation and allows the imposition of a fee of up to \$150 for the required service, creating a new tax on home instillation.

**HB 131** – T.Burch

House #106 (N)

- 3 A mindless nanny-state regulation requiring parents to affix state-mandated decals to the front and back of their vehicle any time their teenage child is operating the vehicle.

**HB 133** – T.Riner

House #128 (N)

- 3 Wage discrimination is already illegal. Adding a vaguely defined idea of “comparable worth” does not create greater protection, it only creates more opportunity to litigate over what is and isn’t a job of “comparable worth”.

**HB 154** – C.Rollins

House #154 (N)

- 2 Another unfunded new program would be created, this one administered by the Department of Education to reward schools for expanding the school calendar by 300 hours. While this is a fine thing to encourage, the state is simultaneously cutting instructional hours in the budget. This bill is just another example of unserious budgeting priorities and useless legislation.

**HB 159** – J.Greer

House #395, Senate 4/1 (N)

**\$4,000,000**

- 5 This new health insurance mandate costs the state \$2,000,000 in the first year and \$4,000,000 per year when fully implemented. It is also expected to raise health insurance premiums in Kentucky \$10,000,000. Adding it up, it means insured taxpayers in Kentucky are on the hook for an additional \$26,000,000 in the biennium.

**HB 164** – M.Cherry

House #254, Senate 3/26 (N)

- 4 In what appears to be a needless but costly rearrangement of deck chairs, this legislation transfers all KCTCS employees who are engaged in providing educational services and support to inmates to the Department of Corrections. Here some will join the state retirement system, some now qualifying for hazardous duty, and the state health plan. Not only will it cost more to hire people into the Department of Corrections than KCTCS, but the benefits will be more expensive, and the unfunded liability of the state pension system will increase.



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**HB 180** – R.Palumbo

House #246, #539 (N)

1 The state will now license and regulate massage therapy, requiring fees and continuing education requirements that will increase the costs of doing business for practitioners.

Senate 3/29 (N)

2

**HB 213** – R.Adkins

House #243 (N)

3 Original version grants wide eminent domain condemnation authority to CO2 transmission pipeline companies, endangering the rights of private landholders while granting no public oversight.

Senate 3/26

(n/s) Senate amendment requires certification from Kentucky State Board on Electric Generation and Siting in order to exercise condemnation authority.

**HB 217** – Ji.Lee

House #119, #477 (N)

1 This bill could be considered the first step in the next American car company failure. The bill places new state restrictions on car manufacturer-dealer relationships, requiring manufacturers to first offer new dealerships to the dealers closed in 2009 before opening any new dealership. While much attention is given to how unsustainable union contracts made American car companies sluggish, GM, Ford and Chrysler were also greatly constrained by a bog of state laws governing their relationships with dealers. Here, once again, the state is dictating to the car companies who should operate their dealerships, once again preventing them from making the economic choices they might make in a free market.

Senate 3/24 (N)

2



**HB 258** – T.Burch

*\$500,000*

House #181 (N)

- 3 This bill creates a new program in the Health and Family Services Cabinet designed to ensure that local public health departments are complying with federally-imposed “accreditation”. While the House once again removes the funding for the program, it originally cost taxpayers \$500,000.

**HB 276** – A.Koenig

House # 242, Senate 3/10 (Y)

- 4 Mr. Koenig deserves credit for an innovative effort to limit regulation. This bill requires independent boards and commissions to merge and surrender administrative duties to the Finance Cabinet if they do not regulate at least 100 persons. This is a good first step in reducing bureaucracy in the commonwealth.

**HB 283** – J.Gooch

House #161, 519 (N)

- 2 Increases surface mine permit fees. While many in the industry agreed to the increase in order to apply the revenue to expedite the permitting process, that’s quite a racket, to require higher fees just to do the job the government is supposed to be doing in the first place.

Senate 3/15 (N)

4

**HB 287** – R.Henderson

*\$1,100,000*

House #287, Senate 3/29 (N)

- 0 This bill extends tax credits that are only awarded to specific developments for an additional decade past their planed expiration date. The original credit was a strong example of the government picking winners and losers, and the extension only applies to a few of the original ‘winners’. While we frown upon such government intervention in the marketplace, we will not score legislation that lowers taxes.



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**HB 290** – R.Rand

*\$184,000,000*

House #358 (N)

10 The number in blue represents the tax increase included in the first version of the budget. The \$184 million expected from businesses is not only a tax hike, but because it is a postponement of the ability to write off losses, it is targeted directly at small businesses that are struggling! Additionally, this proposal was the most indebted budget ever, containing over \$2.2 billion of debt, and easily the highest debt to revenue ratio ever. On the positive side, actual expenditures were reduced, from \$17.55 billion in the 2007-2008 biennium, to \$17.5 billion in the proposal. Such a small effort to reduce spending does not mask the reckless debt proposal and the tax hikes on Kentucky businesses.

Senate 3/22 (Y)

5 The Senate kept the reduction in spending while removing new debt-financed projects and removing the tax increases.

Senate 4/1

(n/s)

**HB 291** – R.Rand

*\$83,000,000*

House #350 (N)

5 The \$83,000,000 is the additional debt service incurred due to an unaffordable and aggressive use of debt financing to build roads.

**HB 292** – R.Rand

House #352 (N)

2 This is the highway plan that is financed by the unaffordable debt issue authorized in HB 291.

Senate 3/22

(n/s) In the Senate plan, the \$300,000,000 bond issuance is stricken.

**HB 302** – D.Pasley

*\$1,000,000*

House #104, Senate 2/4 (n/s)

0 The bill authorizes a \$500,000 annual appropriation to construct a hangar at the Bluegrass Station. The facility already has a contract in place to pay for the bond. This score is for tracking spending only.

**HB 325** – A. Simpson

House #200, Senate 4/1 (Y)

3 The bill creates better transparency and better accountability to statewide local government associations (KLC and KACo).



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**HB 376 – L.Combs**

**\$3,432,000**

House #339 (N)

- 3 Once again the legislature creates an expensive new program without paying for it. This one is a pay hike designated for speech-language pathologists. Not only does this tie the hands of school boards across Kentucky, it launches a new program that costs \$1.7 million annually.

**\$100,000**

Senate 3/29 (N)

- 5 Not to be outdone, the Senate amended the bill to create a new Kentucky Board of Prosthetics, Orthotics and Pedorthics, and estimates creating this board will cost an additional \$100,000.

House #544 (N)

- 5 The House vote on the bill as amended by the Senate.

**HB 387 – J. Hoover**

House #298, Senate 3/23 (Y)

- 3 Commonsense bill says the legislature and the public should be informed about how many government employees there are and how many personal service contracts there are.

**HB 419 – C.Hoffman**

House #330 (N)

- 2 Creates another new program without funding it. This “fund” would collect money and distribute it to two other funds. This bill is the definition of needless government.

**HB 511 – G.Stumbo**

**-\$4,100,000**

House # 362 (Y)

- 2 The House version of the Legislative Branch budget proposed real spending cuts in all areas except the Legislative Ethics Commission and the Kentucky Long Term Policy Research Center.

Senate 3/22 and 4/1, House #545 (Y)

- 5 The Senate amendments reduced General Fund appropriations an additional 1.25% and reduced the cap on the number of LRC employees.

**HB 513 – J.Tilley**

House #384 (N)

- 2 Yet another new spending program is created, yet again unfunded. This one would create a “comprehensive statewide program for encouraging preschool children to develop an appreciation for books” with its own administrative board.



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**HB 530 – R.Rand**

House #328 (N)

10 This bill contains provisions designed to “increase revenues” by over \$300 million. Most of this comes from punishing struggling small businesses by forbidding budgeted write-offs of carry-over operating losses. Additionally, the bill fails to halt taxpayer subsidies of Hollywood films, but simply limits the subsidy to \$7.5 million. It makes permanent certain fees that were scheduled for sunset and allows the creation of new fees.

Senate 3/22 (Y)

1 This is a challenging score. The Senate amendment fixes many of the problems of the House bill. It eliminates the tax increases. It eliminates outright film subsidies. It continues to allow fees to sunset. But it creates the “Endow Kentucky” tax credit that puts the government in a business it definitely should not be in: charitable works. There is no sufficient reason for the state government to be in direct competition with groups like the Christian Appalachian Project or the United Way.

**HB 540 – C.Rollins**

*\$54,000,000*

House #407 and 536, Senate3/29 (Y)

2 In exchange for modest increases in employee contributions to the Kentucky Teacher’s Retirement System, the state will cover certain additional retirees who are not eligible for Medicare. This results in a deficit this biennium, but begins to pay for itself in 2013. While the bill does not address the root causes of the problem – health plans that exacerbate rising health costs – it is a fiscal improvement.

**HB 593 – J.DeCesare**

House (Cosp.)

+5 In a 2004 Memorandum developed by the Kentucky Department of Education's Facilities Management Division, it was reported that from 1999 to 2004, Kentucky's prevailing wage requirement unnecessarily inflated the cost of school construction by more than \$480 million. The amount of unmet need for schools in the most deplorable condition is around \$500 million. While this legislation would only exempt smaller projects from this requirement, it would still result in significant savings.

If our leaders in Frankfort were really concerned about growing the economy, we would be having a serious discussion about getting rid of the prevailing wage.

**HCR 10 – S. Lee**

House (Cosp.)

+5 This resolution reasserts state sovereignty over powers not given to the federal government by the US Constitution.



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**SB 26** – B.Leeper

Senate 1/20 (Y)

- 5 Changes outdated regulations that are preventing the use of nuclear-generated electricity in Kentucky.

**SB 40** – D. Thayer

Senate 2/2 (Y)

- 5 Requires the state to post records of spending online.

**SB 51** – D. Thayer

Senate 1/13 (Y)

- 3 Prevents part-time Legislators from gaming the pension system to boost their retirement by taking a plum political appointment in the Executive Branch for a few years.

**SB 67** – K.Winters

Senate 2/9 (Y)

- 3 Allows students to graduate early from high school without forfeiting their KEES eligibility.

House #468 (Y) and #469 (N)

- 2 The House amends the bill to allow the State Lottery to promote itself by touting that it helps fund more government spending. A procedural vote to stop this amendment preceded the vote on passage.

**SB 94** – V.McGaha

Senate 2/11, House #571 and #572

(n/s)

House #573 and #574 (N)

- 2 The House's attempt to enact a nine-month budget because they insisted on over \$1 billion in debt-financed projects is an act of avoiding responsibility.

**SB 157** – T.Buford

*\$12,000,000*

Senate 3/15 (N)

- 5 The Chiropractor health insurance mandate could possibly cost the state \$6 million annually. The reason it is only "possible" is that the bill attempts to exempt itself from the requirement that it is requiring every other insured Kentuckian to pay for. If it's too expensive to apply to the state, isn't it too expensive for all of us?



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**SB 227** – B.Smith

Senate 3/18, House #480 (N)

- 5 This bill creates the “Endow Kentucky” program that puts the government in a business it definitely should not be in: charitable works. There is no sufficient reason for the state government to be in direct competition with groups like the Christian Appalachian Project or the United Way.

**SCR 43** – D.Seum

Senate (Cosp.)

- +5 This companion resolution to HCR 10 reasserts state sovereignty over powers not given to the federal government by the US Constitution.

Senate Points for Bills Killed:

- +4 It is always difficult to fully evaluate the Senate. We can only score recorded votes. While the House often takes votes on new spending and taxes, often the Senate defeats these efforts without a vote to score.

In recognition of the Senate’s efforts to stop debt, taxes or greatly improve spending bills HB 290, HB291, HB 292, HB 511 and HB 530, every Senator is awarded a bonus point. One point is deducted for the additional spending added to HB 376.

Notes on Scoring:

- Co-sponsorship bonuses and penalties are awarded as additional points and are not part of the base score.
- A House vote of ‘Abstained’ and a Senate vote of ‘Pass’ are recorded as not voting because the legislator fails to take a position on the legislation.
- Missed votes (including ‘Abstained’ and ‘Pass’) are not considered in the evaluation. Those votes are not counted in the numerator or denominator of the evaluation.