

Smith, Turner & Reeves Legislative Report

Legislative Report 04-6

DATE: April 16, 2004

Note: This report is for filings and activity through April 14, 2004. This report applies to the review of bills referred to the Public Utility Committees of the House and Senate, and to the review of other bills as numerically filed through HB1837 and SB3206.

Actions of the House of Representatives

Bills referred to the Public Utilities Committee

House Bill 385 – HB385 would provide that notice may be given by publication in a local newspaper when a public improvement district is issuing a certificate of public convenience in an uncertificated area.

Status – Died in committee

House Bill 443 – HB443 is to extend the repealer on training requirements a funding of training for emergency telecommunications until June 30, 2006.

Status – Passed in House; passed in Senate

House Bill 546 – HB546 would require audits of any natural gas districts created by the legislature.

Status – Passed in House; amended version passed in Senate; House declined to concur, conference pending

House Bill 885 – HB would require that calls solicitation calls properly made under the solicitation act must announce the geographic location from which the call is placed.

Status – Died in committee

House Bill 888 – HB888 would require that electric utilities establish a farm residential meter rate.

Status – Died in committee

House Bill 1032 – HB1032 would provide that landowners that lease real property for communications towers would be entitled to ten per cent of the value of any subleases.

Status – Died in committee

House Bill 1245 – HB1245 would include “push polling” as a prohibited call under the telephonic solicitation act. Push polling is defined in the bill as “a telemarketing technique in which telephone calls are used to canvass voters to disseminate false and damaging information about a candidate under the guise of taking a poll to determine how the information affects voter preference, with the legitimate intent to distribute verbal campaign propaganda while purporting to conduct a legitimate public opinion poll”.

Status – Passed in House; transferred to Senate; died in Senate committee

House Bill 1267 – HB1267 would authorize county election commissions to receive E-911 names and address information to update registration and poll books.

Status – Died in committee

House Bill 1534 – HB1534 would reconstitute boards and revise compensation for certain natural gas districts.

Status – Died in committee

House Bill 1568 – HB1568 would require certain natural gas districts to distribute revenues to municipalities within the district.

Status – Died in committee

House Bill 1628 – HB1628 would remove common carriers transporting household goods from PSC regulation.

Status – Passed in House; transferred to Senate; died in Senate committee

Other Bills

House Bill 123 – HB123 is known as the Anti-Spam Act, and would create criminal penalties for use of a computer network to distribute unsolicited bulk e-mail of specified volumes.

Status – Died in committee

House Bill 132 – HB132 would establish laws prohibiting Cyberstalking, defined as harassing, alarming or following an individual using electronic communications devices, which include telephones, cellular phones and computers.

Status – Died in committee

House Bill 144 – HB144 would prohibit the holder of a temporary or intermediate driver’s license from using a cell phone while operating a motor vehicle.

Status – Died in committee

House Bill 158 – HB158 would prohibit the use of cellular phones while driving unless using a hands-free device.

Status – Died in committee

House Bill 179 – HB179 is to be known as the “Good Faith Employment Act”. The Act would abolish employment at will and require that decisions to fire employees be made for good faith business reasons only. The bill defines good faith reasons and provides for a probationary period in which provisions of the act do not apply

Status – Died in committee

House Bill 180 – HB180 would require Mississippi employers to provide wages no less than 15% above the Federal minimum wage.

Status – Died in committee

House Bill 195 – HB195 would eliminate the discount allowed in connection with collecting and filing sales and use tax returns.

Status – Died in committee

House Bill 203 – HB203 would exempt overtime compensation from gross income for income tax purposes.

Status – Died in committee

House Bill 220 – HB220 would increase the rate of state income tax by adding a six% bracket for all taxable income in excess of \$15,000.

Status – Died in committee

House Bill 299 – HB299 would authorize counties to levy a sales tax.

Status – Died in committee

House Bill 319 – HB319 provides that state laws regulating the use of cell phones while driving would preempt any local ordinance for the same purpose.

Status – Died in committee

House Bill 321 – HB321 would authorize counties to establish and support a 911 telephone system which would warn users of emergency situations by placing a computerized telephone call.

Status – Died in committee

House Bill 364 – HB364 an act which provides that non profit gas districts would not be responsible for the cost of the removal or relocation of lines or facilities on state right of ways, and that the State Transportation Department would be responsible for the costs of such removal or relocation.

Status – Died in committee

House Bill 702 – HB702 would create a misdemeanor offense of causing a motor vehicle accident while using a cellular telephone or similar device.

Status – Died in committee

House Bill 757 – HB757 would impose a one percent sales tax upon professional service transactions which are for more than \$10,000.

Status – Died in committee

House Bill 856 – HB856 would authorize municipalities to impose a sales tax for limited purposes.

Status – Died in committee

House Bill 1284 – HB1284 would amend the methodology to be used when estimating sales tax liability for the month of June for those taxpayers required to pay June sales tax by the 25th of June.

Status – Died in committee

House Bill 1302 – HB1302 would phase out corporate income tax by the year 2008.

Status – Died in committee

House Bill 1318 – HB1318 would exempt finance charges from sales taxation.

Status – Died in committee

House Bill 1333 – HB1333 defines affiliated groups which may file a consolidated corporate income tax return.

Status – Passed in House; passed in Senate

House Bill 1456 – HB1456 would allow telecommunications providers to provide taxable and nontaxable services at a bundled non-itemized price.

Status – Passed in House; passed in Senate; approved by Governor

House Bill 1481 – HB1481 would exempt delivery charges from sales taxation.

Status – *Status* – Died in committee

Actions of the Senate

Bills referred to the Public Utilities Committee

Senate Bill 2041 – SB2041 would restrict local zoning regulations of antennae of amateur radio operators.

Status – Died in committee

Senate Bill 2286 – SB2286 would require audits of any natural gas districts created by the legislature.

Status – Died in committee

Senate Bill 2355 – SB2355 is to extend the repealer on training requirements a funding of training for emergency telecommunications until June 30, 2006.

Status – Passed in Senate; transferred to House, tabled subject to call; died on calendar

Senate Bill 2458 – SB2458 would allow multiple to join as multiple-jurisdictional emergency communications districts.

Status – Died in committee

Senate Bill 2499 – SB2499 would establish a “211” planning advisory board. 211 calls are defined in the bill as “a system by which a person may dial the digits 211 and be connected to an operator who can answer questions related to community service programs within a specified region”.

Status – Died in committee

Senate Bill 2530 – SB2530 would require that electric utilities provide for net energy meeting and give credit for any customer who generates electricity for use at his residence.

Status – Died in committee

Senate Bill 2744 – SB2744 would allow for public utility districts to adopt more restrictive ordinances related to wastewater disposal systems.

Status – Died in committee

Senate Bill 2935 – SB2935 would include cable television systems under PSC regulation.

Status – Died in committee

Senate Bill 2991 – SB2991 would remove common carriers transporting household goods from PSC regulation.

Status – Passed in Senate; amended version passed in House; returned to Senate for concurrence

Other Bills

Senate Bill 2169 – SB2169 would prohibit utilities (only described in the bill as electricity, water or natural gas) from making connections to a home with an individual sewage collection system without prior written approval of the Mississippi Department of Health.

Status – Died in committee

Senate Bill 2375 – SB2375 would prohibit the disposal of cellular telephones as solid waste.

Status – Died in committee

Senate Bill 2418 – SB2418 would prohibit all but hands free cellular telephones while operating a motor vehicle.

Status – Died in committee

Senate Bill 2585 – SB2585 would allow telecommunications providers to provide taxable and nontaxable services at a bundled non-itemized price.

Status – Passed in Senate, transferred to House; died in House committee

Senate Bill 2698 – SB2698 would authorize municipalities to impose a sales tax for limited purposes.

Status – Died in committee

Senate Bill 2787 – SB2787 defines affiliated groups which may file a consolidated corporate income tax return.

Status – Passed in Senate; transferred to House; died in House committee

Senate Bill 3067 – SB3067 would authorize Yazoo City to own and operate a telecommunications system as a local exchange carrier.

Status – Active, referred to Local and Private Committee