

Smith, Turner & Reeves

Legislative Report

Legislative Report 04-2

DATE: February 23, 2004

Note: This report is for filings through February 13, 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 HB1278 and SB2783.

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 – Active

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

Status – Active

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

Status - Active

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 – Active

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

Status - Active

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 - Active

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 - Active

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

Status - Active

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 - Active, referred to Judiciary B 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 - Active, referred to Judiciary B 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 - Active, referred to Transportation Committee

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

Status - Active, referred to Transportation 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 - Active, referred to Labor Committee

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

Status - Active, referred to Labor and Ways and Means Committees

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

Status – Active, referred to Ways and Means Committee

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

Status - Active, referred to Ways and Means 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 - Active, referred to Ways and Means Committee

House Bill 299 – HB1467 would authorize counties to levy a sales tax.

Status - Active, referred to Ways and Means 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 - Active, referred to Transportation 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 - referred to County Affairs 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 - referred to Transportation 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 – Active, referred to Judiciary B Committee

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

Status – Active, referred to Ways and Means Committee

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

Status – Active, referred to Ways and Means 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 - Active

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

Status – Active

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

Status – Active

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

Status – Active

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 – Active

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

Status – Active

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

Status – Active

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 – Active, referred to Public Health and Welfare, and Environmental Protection Committees

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

Status – Active, referred to Environmental Protection Committee

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

Status – Active, referred to Judiciary B Committee

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

Status – Active, referred to Finance Committee

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

Status – Active, referred to Finance Committee