

Smith, Turner & Reeves

Legislative Report

Legislative Report 03-1

DATE: January 24, 2003

Note: This report is for filings through January 17, 2003. 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 HB1031 and SB2458.

Actions of the House of Representatives

Bills referred to the Public Utilities Committee

House Bill 289 – HB289 would transfer enforcement of existing telephone solicitation laws from the office of the attorney general to the Mississippi Public Service Commission.

Status - Active

House Bill 295 – HB295 would restrict the hours than an automated dialing machine may be operated, and specifies the amount of time an automated dialing device should disconnect after termination of the call.

Status – Active

House Bill 357 – HB357 would provides that state law will preempt any local ordinances regulating the use of cellular phones in automobiles.

Status - Active

House Bill 446 – HB446 would extend the automatic repealer of wireless emergency telephone services until July 1, 2007.

Status – Active

House Bill 506 – HB506 would provide compensation to landowners of 10% of any sublease revenues for communications towers.

Status – Active

House Bill 616 – HB616 would authorize counties to establish and support an emergency telephone warning system (one that would warn residents of an emergency by making a telephone call to users) and provides for funding by use of excess 911 funds.

Status – Active

House Bill 676 – HB676 would create new code sections to prohibit unsolicited telephone sales calls to residential subscribers who have notified the PSC of their objection to such calls. It also would require the PSC to establish a database to collect such objections. It would require telephone solicitors to register with the PSC and provide for fees. This article is to be known and cited as the Mississippi Telephonic Solicitation Act.

Status – Active

House Bill 793 – B793 would amend the PSC rules by abolishing the requirement for notifying any interested party when a public utility petitions for a certificate of public convenience for uncertificated areas.

Status - Active

House Bill 794 – HB794 establishes a no-call list for telephone solicitation and provides for the attorney general to establish rules, maintenance and enforcement of provisions related to the list.

Status – Active

House Bill 843 – HB843 would prohibit a private firm from paying public safety and 911 telecommunicators who have not met minimum training standards.

Status – Active

House Bill 875 – HB875 would establish a farm residential meter category for electric companies and provide for certain restrictions on the establishment of rates to be provided for on these meters.

Status – Active

House Bill 957 – HB957 would prohibit telephone solicitors making unsolicited calls from blocking consumers use of caller identification services.

Status – Active

Other Bills

House Bill 183 – HB183 would exclude an individuals overtime earnings from the definition of taxable wages for income tax purposes.

Status - Active, referred to Ways and Means Committee

House Bill 213 – HB213 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 Committee

House Bill 215 – HB215 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 and Judiciary A Committees

House Bill 336 – HB336 would exempt inventories from ad valorem taxation.

Status - Active, referred to Ways and Means Committee

House Bill 370 – HB370 would exempt delivery and freight charges from sales and use taxes.

Status - Active, referred to Ways and Means Committee

House Bill 417 – HB417 would phase out state income taxes for corporations by the year 2007.

Status - Active, referred to Ways and Means Committee

House Bill 492 – HB492 would prohibit the use of cellular phones while driving unless using a hands-free device.

Status - Active, referred to Transportation Committee

House Bill 537 – HB537 similar to HB 492, would prohibit the use of cellular phones while driving unless using a hands-free device.

Status - Active, referred to Transportation Committee

House Bill 608 – HB608 would increase from \$20,000 to \$30,000 the amount of average monthly sales tax liability a taxpayer must have before being required to prepay its June sales tax liability.

Status - Active, referred to Ways and Means Committee

House Bill 627 – HB627 would provide an income tax credit for employers that incur costs for the promotion of employees physical fitness and well being.

Status - Active, referred to Ways and Means Committee

Actions of the Senate

Bills referred to the Public Utilities Committee

Senate Bill 2077 – SB2077 would make it illegal to broadcast television advertisements at a higher decibel level than the level of the preceding program.

Status - Active

Senate Bill 2127 – SB2127 would prohibit telephone solicitors making unsolicited calls from blocking consumers use of caller identification services.

Status – Active

Senate Bill 2157 – SB2157 would require that telemarketers obtain a listing of consumers in the state that have arranged to be included on the national do not call list. Provides for penalties for telemarketers who make calls to consumers on the national list, and authorizes the PSC to investigate and enforce the provisions provided for in the bill. The bill also provides for notification of consumers to these requirements by carriers providing local exchange service to the customers.

Status – Active

Senate Bill 2171 - SB2171 would create new code sections to prohibit unsolicited telephone sales calls to residential subscribers who have notified the PSC of their objection to such calls. It also would require the PSC to establish a database to collect such objections. It would require telephone solicitors to register with the PSC and provide for fees. This article is to be known and cited as the Mississippi Telephonic Solicitation Act.

Status – Active

Senate Bill 2355 – SB2355 would prohibit telephone solicitors making unsolicited calls from blocking consumers’ use of caller identification equipment. The bill further provides that a provider of telephone caller identification services shall not be held liable for violations of the statute committed by other persons.

Status – Active

Senate Bill 2329 - SB2329 would create new code sections to prohibit unsolicited telephone sales calls to residential subscribers who have notified the PSC of their objection to such calls. It also would require the PSC to establish a database to collect such objections. It would require telephone solicitors to register with the PSC and provide for fees. This article is to be known and cited as the Mississippi Telephonic Solicitation Act. This bill is virtually the same as SB2171, with minor differences in volume of definitions.

Status – Active

Senate Bill 2359 – SB2359 would include cable television systems under the definition of public utilities for the purpose of regulation by the PSC.

Status – Active

Senate Bill 2443 – SB2443 would allow municipalities of greater than 20,000 to establish 911 service districts, including the provision for funding by levy of an amount on customers telephone bills

Status – Active

Senate Bill 2445 - SB2445 would create new code sections to prohibit unsolicited telephone sales calls to residential subscribers who have notified the PSC of their objection to such calls. It also would require the PSC to establish a database to collect such objections. It would require telephone solicitors to register with the PSC and provide for fees. This article is to be known and cited as the Mississippi Telephonic Solicitation Act. This bill is virtually the same as SB2171 and SB2329.

Status – Active

Other Bills

Senate Bill 2282 – SB2282 would prohibit the use of cell phones while driving.

Status – Active, referred to Judiciary committee