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April 20, 2010

LEGISLATIVE UPDATE

By State Representative Ron Crimm

Legislature adjourns 2010 session without budget agreement, setting the stage for extraordinary session

When the General Assembly arrived in Frankfort three months ago, it was expected that we would pass numerous key pieces of legislation. I am proud to say that goal was mostly accomplished and some of those bills will have a positive impact on various segments of our Commonwealth. Yet, the story of the 2010 Regular Session does not end there.

Foremost, we were expected to pass a budget - a budget to guide our Commonwealth through the storm in these bleak economic times. Unfortunately, we were forced to leave this session without a budget because the House Majority chose to play politics rather than serve the people of Kentucky. For days, they refused to recede from contentious portions of their proposal, which would continue the philosophy of tax, borrow and spend. When they finally appeared to be willing to compromise, their concessions came with strings attached that truly would have strangled our already difficult fiscal situation.

In the waning hours of session, House Majority Leadership put forth a final effort to force their pork-project-laden budget upon the taxpayers of Kentucky. Even overlooking the disputed constitutionality of this measure, this plan left too many unanswered questions regarding the Governor's authority to spend federal funds. Even more so, I recognize this was merely a political stunt as the Senate had already made it clear they would not entertain a budget proposal that would continue this outrageous spending.

With the current budget ending on June 30, legislators most likely will have to return in an extraordinary session to again address the budget since the Governor does not have the authority to make expenditure decision to keep the state's services in operation. I am committed to placing the discontent behind us so we can work together in a bi-partisan manner to do what is best for you, the citizens we serve. I implore my colleagues on the other side of the aisle to pledge the same.

Even though a budget compromise did not materialize, other conference committees were able to reach a consensus. Two bills I mentioned in last week's column were finalized through these conferences and approved in both chambers.

The free conference committee report on House Bill 1, intended to protect domestic violence victims, was given final passage in the House by a vote of 100-0 and is now headed to the Governor for his signature into law. "Amanda's Law," as it will be entitled in statute, permits judges to order electronic monitoring of the accused in domestic violence cases if certain protective order offenses occur. These devices will have the capability to alert both the victims and police if the accused violates a restraining order. To provide more clarity for judges in ordering an abuser to wear the monitoring device, the legislation provides a list of offenses that could prompt such a ruling. Judges will also have the ability to jail or impose other punishments for the violation of a domestic violence order.

Senate Bill 4 was sent to the Governor's desk and ensures Kentucky's organ donation plans will be clearly defined for prospective donors and their families. This legislation, which mirrors the actions taken in 40 other states, will provide definition to the organ donation process and establish a specific opt-out provision for those who do not wish to donate their organs after death.

We also approved other important pieces of legislation which, despite being overshadowed at times by budget negotiations, are vital in the protection and wellbeing of our citizens.

Legislation aimed to curtail the incidence of Shaken Baby Syndrome, or Pediatric Abusive Head Trauma (PAHT) was given unanimous final approval. House Bill 285 will set forth an all-encompassing awareness campaign to increase education and, possibly, the prevention of PAHT. Numerous groups, such as prospective adoptive parents, will be required to complete training in the dynamics of PAHT and the Department of Corrections will make available PAHT prevention courses to educate inmates on methods to ease the calming of infants and demonstrate the physical effects of shaking an infant.

Senate Bill 107 cleared its last legislative hurdle by a vote of 97-1. *Salvia divinorum*, a species of plant commonly known as salvia, can be dried and smoked, which can be used to produce a “high.” Individuals found guilty of possessing any form of the substance will be charged with a Class B misdemeanor, while growing salvia plants or manufacturing the drug would be a Class A misdemeanor. Traffickers will be charged with a Class B misdemeanor if the substance is under 8 ounces or a Class A misdemeanor if it weighs more than 8 ounces.

The General Assembly saw a number of bills fail in these last two days, but we also had the opportunity to see the Governor sign other important measures. These include Senate Bill 17, legislation that will punish corrections officials with felony charges for having sexual relations with prisoners; House Bill 199, which allows veterans an unlimited number of service-related license plates; House Bill 415, a measuring banning texting for all drivers and cell phone use for drivers under 18; and House Bill 160, a bill that will ease the transfer of credits from a two-year institution to the state’s four-year public universities.

This week, I received a great honor as I was named the Kentucky Out-of-School Alliance award winner and placed in their 2010 Hall of Fame. The Kentucky Out-of-School Alliance is a program focused on creating a sustainable state-wide structure that will influence local, state and national policy ensuring that every child and youth in Kentucky has access to a high quality afterschool program. Their annual award winner is chosen based on his or her efforts to champion out-of-school programs and, while I am privileged to receive this award, I realize that our work is not done and will continue to advocate on behalf of our children.

Please know that every vote I make is cast with your best interests in mind and with the ultimate goal of improving our Commonwealth. With the Governor still having veto power on bills sent to him in the last two days, I will update you on the bills that have been signed into law. In the meantime, please do not hesitate to contact me if I can provide additional information on our work. I can be reached at home or through the toll-free message line at 1-800-372-7181. If you have internet access, I invite you to e-mail me at ron.crimm@lrc.ky.gov.

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