LEGISLATIVE OUTCOMES:

Obstacles & Opportunities for Business in 2015



GREATER LOUISVILLE INC. IS THE "VOICE OF BUSINESS" IN THE 15-COUNTY BI-STATE REGION

SOME BIG WINS IN THE 2015 SESSION WITH MUCH WORK LEFT TO BE DONE



Kent Oyler President & CEO

By all accounts, the 2015 legislative session was one of the most successful in GLI history. Of our eight top priorities, we helped pass significant legislation addressing telecom reform, heroin abuse, and stabilization of the road fund. Even among our long-term priorities, there was progress on early childhood education and pension reform efforts.

Many have heard me say it but it continues to be true: GLI is back. Our successes in the 2015 legislature are attributable in no small part to our decision to make efficient and effective advocacy a priority. GLI added two new staff to the Advocacy Department in the last year, drastically

increasing our visibility in Frankfort. We outlined specific policy priorities in the fall to ensure that legislators in Frankfort would know what Greater Louisville businesses need to thrive. Our members showed up and spoke out. We compounded our lobbying efforts with a robust grassroots advocacy campaign and served as a civic connector, bringing dozens of business leaders to Frankfort to engage in the debate.

The proof is in the outcomes. Critical legislation passed in 2015, some of which has been held up for years. Perhaps most crucially, the legislature passed two pieces of legislation for our infrastructure and workforce. Additionally, we saw vital reforms made to Kentucky's telecommunications laws and the passage of intrastate crowdfunding. Two long-term priorities also saw movement with increased pension accountability and transparency, and



Greater Louisville Inc.'s LEAD GLI Class lobbies in Frankfort (GLI)

a quality-based rating system for childcare providers. Beyond these big wins, however, there were some sobering missed opportunities for the business community in 2015. Greater Louisville was hit especially hard on three priorities: LIFT, Principal Selection, and Incompatible Licenses.

While we celebrate our successes and the fruits of our increased advocacy

efforts in 2015, we never stop looking forward. After all, there is no gain without hard work. To this end. GLI will continue to be the voice of the Greater Louisville business community in Frankfort.

GREATER LOUISVILLE REGION SEES PROGRESS BUT MUCH IS LEFT TO BE ACCOMPLISHED

Note: All bills are presented in alphabetical order based on their subject matter.

WINS FOR BUSINESS

CROWDFUNDING

House Bill 76 (Rep. Riggs) permits online intrastate crowdfunding, creating opportunities in the Commonwealth that will make it easier for Kentuckians to invest in promising business ideas and reap the benefits. This legislation will allow the average citizen to invest up to \$10,000 while helping businesses raise up to \$2 million per 12-month period.

This is an incredible opportunity for Greater Louisville's entrepreneurs. After being named a top city for young entrepreneurs by Under30CEOs, crowdfunding now provides another tool for Louisville businesses to access capital and stimulate growth.

EPAD

House Bill 100 (Rep. Kay) permits local governments to establish Energy Project Assessment Districts (ePADs), which will allow energy projects to be financed by voluntary assessments placed on participating properties to advance energy and water resource efficiency.

Energy efficiency is a win-win for Greater Louisville businesses and taxpayers. Businesses can save money while making their buildings more valuable. Service companies and contractors can increase revenue and create high-paying jobs by executing ePAD projects.

"By building upon years of history in representing our business community's interests, GLI has further strengthened its role in influencing public policies in Frankfort as an independent voice for business. We at Harshaw Trane were very pleased that GLI actively supported legislation we were working on that enables local governments to establish energy project assessment districts to help finance energy efficiency projects." - Lou Zaccone, Harshaw Trane

HEROIN ABUSE

Senate Bill 192 addresses the heroin epidemic in the state by funding treatment, placing tougher penalties on dealers, and creating programs to allow local governments to set up needle exchanges and other health initiatives.

The Greater Louisville region was heavily impacted by the scourge of heroin and Louisville Metro Council has already taken action to set up a needle exchange to contain blood borne illness in Louisville Metro.

INTRASTATE CROWDFUNDING IN THE COMMONWEALTH WILL BRING ENTREPRENEURSHIP TO THE MASSES

In a massive show of support for our local entrepreneurs, the General Assembly also passed a comprehensive crowdfunding bill (House Bill 76) sponsored by Rep. Steve Riggs of Louisville. This legislation will allow citizens of the Commonwealth to invest in local start-ups for equity and reap the benefits of their risk. GLI testified in favor of this legislation and it is sure to unleash exciting potential among Greater Louisville's best and brightest.

WHAT DOES THIS MEAN TO ME?

Access to capital is consistently ranked as the top challenge for business start-ups in the Greater Louisville region. The implementation of crowdfunding in Kentucky will reap twofold benefits for businesses, investors, and entrepreneurs. First, by giving entrepreneurs

the ability to raise up to \$2 million over a 12-month period, crowdfunding is a game changer for Greater Louisville business. Entrepreneurs looking to start a business or small businesses looking to expand will be able to open themselves to investment from Kentuckians who believe in their business and are invested in their local economy.

Second, investors will be able to acquire equity in these start-ups by investing \$10,000 or less in capital without being accredited investors. This change will bring millions in new investment from a previously untapped resource – you.

All of these changes will serve to democratize access to capital, increase capital flows, and keep this money within Kentucky.



House Bill 76 sponsor, Representative Steve Riggs (LRC)

WITH TELECOM REFORM, GREATER LOUISVILLE BUSINESSES **CAN ENTER THE 21ST CENTURY MARKETPLACE.**

The legislature took a positive step in modernizing Kentucky's outdated telecommunications laws by passing House Bill 152. This long-overdue legislation is critical to Kentucky's transition to a modern economy that relies on modern communications services. More than three decades after the old AT&T went through divestiture, competition in the telecom industry in Kentucky is robust. Outdated regulations have made necessary investments cost-prohibitive because they required maintenance of a now-antiquated network that dates back to the old rotary dial days.

WHAT DOES THIS MEAN TO ME?

We are already seeing examples of the type of investments we can expect in this new regulatory environment. In May, AT&T announced the introduction of AT&T Business Fiber service which provides fiber-based,

high-speed Internet services to some multi-tenant office buildings in Kentucky.

AT&T has provided fiber-based, high-speed Internet services to businesses for many years in Kentucky. However, this product is designed for multi-tenant office buildings and allows for quick delivery of fiber-based services to businesses in those buildings. The service allows for upload and download speeds up to 300 megabits per second, with plans to reach up to 1 gigabit per second.

GLI's Advantage Louisville plan has identified 5 target areas for growth: Food and Beverage, Business Services, Health Innovation, Advanced Manufacturing, and Logistics & E-Commerce. All of these require a faster, more robust broadband network in order to succeed and drive growth. Telecom reform's passage was a critical first step.



Telecom Reform sponsors, Senator Paul Hornback (Senate Bill 3) and Representative Rick Rand (House Bill 152) (LRC)

WINS FOR BUSINESS (CONTINUED)

MINIMUM WAGE

House Bill 2 (Speaker Stumbo) would have raised the minimum wage in Kentucky from \$7.25 to \$10.10 over three years. This would have hampered job growth in a recovering economy and led Louisville to be less competitive with Southern Indiana.

ROAD FUND STABILIZATION

House Bill 299 freezes the tax on gasoline at 26 cents per gallon to prevent future volatility in Kentucky's road fund and prevents the road fund from losing revenue due to the drop in wholesale prices. The state's indexing mechanism for the gas tax kicks back in July of 2016.

Greater Louisville's status as a top logistics hub for the world relies heavily on the region's strong infrastructure. By stabilizing the road fund, the legislature ensures that Greater Louisville's logistics industry will not suffer unnecessary costs or setbacks.

TELECOMMUNICATIONS MODERNIZATION

House Bill 152 (Rep. Rand) repeals outdated regulations that limit investment in new wireless telephone and broadband technologies in Kentucky. This has already resulted in increased investment and will help to grow jobs in Greater Louisville through increased digital infrastructure.

Greater Louisville's growing professional service and technology sectors must compete with top cities nationally that have unfettered access to gigabit internet service in states where these reforms have already taken place. The legislature's choice this year to remove some outdated barriers to investment will allow Louisville businesses to compete in a time where business is increasingly done online.

"GLI is an important voice for the business community in the halls of Frankfort – a voice that promotes stronger business growth and a flourishing economy. Their strong, clear messaging was critical to the passage of regulatory modernization in Kentucky."

- Hood Harris, President, AT&T Kentucky

MISSED OPPORTUNITIES

DISTILLERY MODERNIZATION

House Bill 198 (Rep. Keene) would have permitted bourbon distillers to sell their products by the drink to patrons at their distilleries, just as Kentucky's wineries and breweries do today. (Passed House committee, never heard on House floor)

Permitting by-the-drink sales in distilleries could have benefitted the rapidly-expanding Bourbon Trail, Urban Bourbon Trail, and brought an additional source of income to Louisville's growing number of small urban distillery start-ups.

EXPANDED GAMING

House Bill 300 (Speaker Stumbo) would have allowed for a vote on a Constitutional amendment to expand gaming in Kentucky. (Never heard in House committee)

Each year, hundreds of millions of dollars flow across the bridge from Louisville to Southern Indiana. Expanding gaming would allow Kentucky to keep its tax dollars and would provide additional revenue to address the Commonwealth's financial concerns while supporting our signature horseracing industry.

EXPUNGEMENT

House Bill 40 (Rep. Owens) would have allowed for the expundement of certain Class D felonies 5 years after completion of the sentence, allowing employers access to more workingage Kentuckians. (Passed House, never heard in Senate committee)

Job seekers in Kentucky that have criminal backgrounds are at a distinct disadvantage when compared to surrounding states that have enacted expungement reforms. Passage of House Bill 40 would have relieved strain on social programs and decreased recidivism while protecting employers by offering indemnity.

INCOMPATIBLE LICENSES

House Bill 168 (Speaker Stumbo) will force any out-of-state brewer that owns a distributorship within the Commonwealth to divest, intervening in the free market and sending a chilling message to all those doing business in Kentucky. (Signed by the governor)

After nearly 40 years of operating in Greater Louisville as a model corporate citizen. Anheuser-Busch will be forced to divest from its distributorship, putting almost two hundred jobs in jeopardy. This legislation sends the dangerous message that Kentucky's lawmakers are willing to single out businesses for political ends.

LOCAL INVESTMENTS FOR **TRANSFORMATION (LIFT)**

House Bill 1 (Speaker Stumbo), the LIFT initiative, would give local communities the option to place an additional sales tax of up to one percent on the ballot for voter approval. (Passed House, never heard in Senate committee)

For every year that Greater Louisville does not have LIFT, our region is missing out on more than \$160 million in funds for quality of place projects that will give Louisville an edge in the increasingly cutthroat competition between metropolitan areas to attract business, talent, and investment.

MEDICAL REVIEW PANELS

Senate Bill 6 (Sen. Alvarado) and House Bill 398 (Rep. Thompson) would have created a system of medical review panels to address the escalating legal costs directly attributable to Kentucky's litigious medical liability climate. (Senate Bill 6 passed Senate, never heard in House committee) (House Bill 398 never heard in House committee)

Greater Louisville's position as a leader in health and aging care is increasingly jeopardized by the uncontrolled medical liability climate in the Commonwealth. The passage of medical liability reform is critical to ensuring that our region will continue to attract top talent and investment in these fields.

PUBLIC-PRIVATE PARTNERSHIPS (P3s)

House Bill 443 (Rep. Combs) would have created an explicit framework for the use of public-private partnerships (P3s) as an alternative method of financing the construction of transportation infrastructure and state and local government capital projects. (Passed House, never heard in Senate committee)

After passing both chambers and being vetoed due to an unfriendly amendment last year, it was both shocking and disheartening to see Kentucky fail to permit P3s yet again. Adding this option to the toolbox will allow Greater Louisville to use its infrastructure funds in the most efficient and effective manner possible.

PLANNING & ZONING

House Bill 240 (Rep. Sinnette) would have allowed for "appeal bonds" as a condition to appealing a rezoning decision from the Circuit Court. preventing developers from incurring excessive attorney fees and costs if the Appeals Court finds in their favor. This legislation would have eliminated a significant disincentive to land development in the Greater Louisville region.

MISSED OPPORTUNITIES (CONTINUED)

RIGHT TO WORK

Senate Bill 1 (Pres. Stivers) would have given Kentucky workers the right to opt out of membership in the labor union at their place of employment. (Passed Senate, killed in House committee)

From an economic development perspective, Greater Louisville is often dismissed in the "first round" due to its location in a state without a Right to Work provision. Passage of Right to Work is critical to a robust economy and will allow for more labor law continuity in the bi-state region.

SCHOOL LEADERSHIP

Senate Bill 132 (Sen. Seum) would have allowed superintendents to have greater influence over the selection of incoming principals in the lowest performing quartile of schools. (Passed Senate, gutted in House committee)

Louisville Metro has many positive attributes but public schools have consistently been a concern for top talent looking to relocate. Giving the superintendent the ability to stop a failing school before it hits rock bottom is a first step to taking Greater Louisville's schools from a liability to our biggest asset. It is what is right for business and what is right for the kids.

SMOKE FREE KENTUCKY

House Bill 145 (Rep. Westrom) and Senate Bill 198 (Sen. Adams) would have prohibited smoking in certain public places, including restaurants, bars and workplaces. (House Bill 145 passed House, never heard in Senate committee) (Senate Bill 198 never heard in Senate committee)

As the state with the highest smoking rate in the country, Kentucky loses more than \$2.3 billion in economic productivity each year to smoking-related causes. While a smoking ban already exists in Louisville Metro, taxpayers, healthcare providers, and employers all pay the costs of smoking elsewhere in the Commonwealth.



Smoke Free sponsors, Representative Susan Westrom (House Bill 145) and Senator Julie Raque Adams (Senate Bill 189) (LRC)

TAX REFORM

GLI was disappointed to see that comprehensive tax reform was not negotiated in the 2015 Session. However, two bills were introduced that would have brought transparency, efficiency, and equity to the administration of the tax code: the Taxpayer Rights Enhancement Act of 2015, House Bill 361, and House Bill 399 (Rep. Thompson). (Heard in House committee, but did not receive a floor vote) For small businesses, House Bill 331 (Yonts) would have simplified the "costs of goods sold" definition in the LLET statute to make it easier for

businesses and tax professionals to comply. (Never heard in House committee). Inaction on the aforementioned legislation means Kentucky businesses will continue to struggle unnecessarily with outdated and unclear tax laws.

Greater Louisville Inc. continues to call for comprehensive tax reform in Kentucky as a critical tool for business attraction, expansion, and retention. Kentucky ranks in the bottom half on the Tax Foundation's State Business Tax Climate Index, while Indiana ranks in the top 10.

IN 2015, THE LEGISLATURE MISSES THE CHANCE TO LIFT KENTUCKY

Chief among the missed opportunities in this year's session was the absence of Senate action on Local Investments for Transformation (LIFT) legislation. Almost fifty prominent business, civic, and government groups across the Commonwealth endorsed LIFT – a rare level of statewide bi-partisan support.

For LIFT, the premise is simple. The Local Option lets local voters decide whether they want to pay for new projects by giving them the right to vote – up or down – on projects and their costs. If the voters approve, the project moves forward. Currently, 37 other states allow citizens to vote for or against new projects, paid for by a temporary local option sales tax. In Kentucky this option isn't currently available. The local option sales tax would be capped at 1% and would be required to sunset after no more than 10 years.

WHAT IS GREATER LOUISVILLE MISSING OUT ON?

Failure to put LIFT on the ballot in 2016 could mean that Louisville loses out on millions of dollars for quality of place projects that will make Louisville a more attractive place to relocate for both businesses and talent. These investments will make it easier to live and work in the Metro area, benefitting all regional businesses by growing the economy. At a time when cities worldwide are fiercely competing for talent, the Greater Louisville region does not have the luxury to wait another two years. As business leaders know, there is no coasting in a global economy; we must either press ahead or risk falling behind.

LEGISLATIVE VOTING RECORD (SENATE)			CROWDFUNDING (HB 76)	EPAD (HB 100)	HEROIN ABUSE (SB 1	ROAD FUND Stabilization (HB 2	TELECOM REFORM (HB 152)	LIFT (HB 1)	P3S (HB 443)	INCOMPATIBLE LICENSES (HB 168)	MEDICAL REVIEW Panels (SB 6)	RIGHT TO WORK (SB	SCHOOL LEADERSHII (SB 132)	SMOKEFREEKY (HB 145)
GLI Position			YES	YES	YES	YES	YES	NO	NO	NO	YES	YES	YES	NO
HOUSE MEMBER	COUNTIES	%	Pass	Pass	Pass	Pass	Pass	Discharge Petition	Discharge Petition	Pass	Pass	Pass	Pass	Discharge Petition
Sen. Julie Raque Adams	Jefferson	58%	YES	YES	YES	NO	YES	YES	YES	NO	YES	YES*	YES	-
Sen. Perry Clark	Jefferson	75%	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	-	NO
Sen. Denise Harper-Angel	Jefferson	58%	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	NO
Sen. Morgan McGarvey	Jefferson	83%	YES	YES	YES	YES	YES	NO	NO	NO	NO	NO	YES	NO
Sen. Gerald Neal	Jefferson	75%	YES	YES	YES	YES	YES	NO	NO	YES	NO	NO	YES	NO
Sen. Paul Hornback	Jefferson, Carroll, Henry, Shelby, Trimble	67%	YES	YES	NO*	YES	YES†	YES	YES	NO	YES	YES*	YES	-
Sen. Ernie Harris	Jefferson, Oldham	67%	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES*	YES	YES
Sen. Dan "Malano" Seum	Jefferson, Bullitt	67%	YES	YES	YES	NO	YES	YES	YES	YES	YES	YES*	YES	YES
Sen. Dennis Parrett	Jefferson, Hardin	75%	YES	YES	YES	YES	YES	NO	NO	NO	YES	NO	YES	NO
Sen. Jimmy Higdon	Jefferson, Marion, Nelson, Spencer	67%	YES	NO	YES	YES	YES	YES	YES	NO	YES	YES	YES	YES
Sen. Carroll Gibson	Breckinridge, Grayson, Larue, Meade	58%	YES	YES	YES	YES	YES	YES	YES	NO	-	YES	-	YES

Map of counties served by Greater Louisville Inc. - pg. 8.

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Senator Morgan McGarvey and Senator Gerald Neal (LRC)



Senator Ernie Harris (LRC)



Senator Dan Seum & Representative Tom Riner (LRC)

DISCLAIMER: The votes in this record reveal how legislators voted on bills that GLI publicly supported or opposed during the 2015 General Assembly (a dash [-] indicates the legislator did not vote on the bill). The voting record includes bills or discharge petitions that received a full vote before the entire House and/or Senate. The contents of a bill may be drastically altered during the legislative process. Unless otherwise noted, the legislation referenced in the voting record is based on the final version of the bill receiving a vote. To view the contents of the bills highlighted in this document, please visit the Legislative Research Commission's website at Irc.ky.gov/legislation.

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Rep. Linda Belcher Bullitt 85% YES	YES*	YES	YES
Rep. James Tipton Bullitt, Spencer 69% YES YES YES NO NO YES YES NO YES NO	NO	YES	NO
Rep. Russell Webber Bullitt, Hardin 54% YES YES YES NO NO YES NO NO NO	YES	YES	NO
Rep. Rick Rand Carroll, Henry, Trimble 77% YES	YES*	YES	NO
Rep. Tim Moore Grayson, Hardin 62% YES - YES NO NO YES YES NO NO NO	YES	YES	NO
Rep. Terry Mills Green, Larue, Marion 77% YES	YES	YES	YES
Rep. Jim DuPlessis Hardin 69% YES YES YES NO NO YES YES NO NO NO	YES	YES	NO
Rep. Bart Rowland Hardin 85% YES YES YES NO YES YES YES YES YES YES YES	YES	YES	NO
Rep. Jeff Greer Meade, Hardin 85% YES	YES	YES	YES*
Rep. David Floyd Nelson 77% YES NO YES NO - YES YES* NO YES* YES	YES	YES	NO
Rep. Brad Montell Shelby 85% YES YES YES NO YES YES YES YES YES YES YES	YES	YES	-

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PUBLIC POLICY LEADERSHIP

GLI thanks the many individuals who volunteer their time and expertise to assist in business advocacy efforts. A special thanks is extended to those listed below who lead the Public Policy Council and its Issue Advisory Committees.

PUBLIC POLICY COUNCIL CHAIR:

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BI-STATE COMMITTEE CHAIR:

Doug York, Rodefer Moss

BUSINESS LEADERS FOR EDUCATION CHAIR:

Roger Cude, Humana

ECONOMIC DEVELOPMENT & WORKPLACE COMMITTEE CHAIR:

Jim Dahlem, Dahlem Company

ENVIRONMENT & ENERGY COMMITTEE CHAIR:

Tim Hagerty, Frost Brown Todd

HEALTH CARE COMMITTEE CHAIR:

Vickie Yates Brown, Nucleus

TAX & FISCAL POLICY COMMITTEE CHAIRS:

John Chilton, Mountiov Chilton Medlev Tom Luber, Wyatt Tarrant & Combs

TRANSPORTATION & INFRASTRUCTURE **COMMITTEE CHAIR:**

Rich Gimmel, Atlas Machine & Supply, Inc.

GLI ADVOCACY & PUBLIC POLICY TEAM:



SARAH DAVASHER-WISDOM **VICE PRESIDENT GOVERNMENT AFFAIRS & PUBLIC POLICY**

SDavasher@GreaterLouisville.com 502.625.0073



INF GFNGHFGAN **PUBLIC POLICY MANAGER**

JGeoghegan@GreaterLouisville.com 502.625.0056

GLI REPRESENTS A 15-COUNTY BI-STATE REGION



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