

**SENATE FINANCE COMMITTEE  
2010 SESSION**

**Committee Members:**

**Senator Ronnie Chance,  
Chairman**

District 16  
319-B CLOB  
(404) 463-1366  
130 Regal Oak  
Tyrone, GA 30290  
(770) 969-9155

**Senator Tommie Williams,  
Vice-Chairman**

District 19  
321 Capitol Building  
(404) 656-0089  
148 Williams Avenue  
Lyons, GA 30436  
(912) 526-7444

**Senator Chip Rogers,  
Secretary**

District 21  
236 Capitol Building  
(404) 463-1378  
P. O. Box 813  
Woodstock, GA 30188  
(770) 516-0543

**Senator Greg Goggans**

District 7  
303-A CLOB  
(404) 463-5263  
1300 Hampton Road  
Douglas, GA 31533  
(912) 260-0057

**Senator Tim Golden**

District 8  
121-A Capitol Building  
(404) 656-7580  
110 Beacon Hill  
Valdosta, GA 31602  
(229) 293-0202

**Senator Bill Heath**

District 31  
109 Capitol Building  
(404) 651-7738  
2225 Cashtown Road  
Bremen, GA 30110-3504  
(770) 537-5234

**Senator Jack Hill,  
Ex-Officio**

District 4  
234 Capitol Building  
(404) 656-5038  
P. O. Box 486  
Reidsville, GA 30453  
(912) 557-3811

**Senator Mitch Seabaugh**

District 28  
421-D Capitol Building  
(404) 656-6446  
P. O. Box 504  
Sharpsburg, GA 30277  
(770) 251-7526

**Senator David Shafer**

District 48  
421-F Capitol Building  
(404) 656-0048  
P. O. Box 880  
Duluth, GA 30096  
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**Senator Cecil Staton**

**Ex-Officio**  
District 18  
303-B CLOB  
(404) 656-5039  
P. O. Box 26427  
Macon, GA 31221  
(478) 757-0983

**Senator Steve Thompson**

District 33  
303-B CLOB  
420-A Capitol Building  
(404) 656-0083  
1170 Longwood Drive  
Marietta, GA 30008  
(770) 427-2600

**Senator John Wiles**

District 37  
324-B CLOB  
(404) 657-0406  
800 Kennesaw Avenue, Suite 400  
Marietta, GA 30060  
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# **RULES**

## **Senate Finance Committee**

### **2009-2010 Legislative Term**

1. The quorum of the Finance Committee shall be six (6) members.
2. The Chairman shall determine which bills and resolutions are to be considered and the order in which said measures are considered.
3. The Chairman shall have the authority to refer bills and resolutions to subcommittees for study. Such subcommittees in turn shall have the authority to make recommendations on such measures to the full Committee.
4. The Committee shall convene, recess, and adjourn upon the order of the Chairman.
5. Any member or members of the committee who disagree with the majority report of the committee shall be privileged to file a minority report if they so desire.
6. These rules may be amended upon a motion duly made and subsequently approved by two-thirds of the members of the committee.
7. A bill, resolution or other matter will be considered only after presentation by its principal author or a legislator whom he designates to do so. In the event more than one member of the General Assembly has signed a measure, the principal author shall be the one whose name appears first in the list of authors.
8. Where these rules are silent on a specific issue, the Rules of the Senate, as adopted, shall govern.

**Senate Finance Committee**  
**Wednesday, January 27, 2010**  
**1:00 p.m. – 310 CLOB**

**MEMBERS:** Senator Ronnie Chance, 16<sup>th</sup>, Chairman  
Senator Tommie Williams, 19<sup>th</sup>, Vice Chair  
Senator Chip Rogers, 21<sup>st</sup>, Secretary  
Senator Greg Goggans, 7<sup>th</sup>  
Senator Tim Golden, 8<sup>th</sup>  
Senator Bill Heath, 31<sup>st</sup>  
Senator Jack Hill, 4<sup>th</sup>, Ex-Officio  
Senator Mitch Seabaugh, 28<sup>th</sup>  
Senator David Shafer, 48<sup>th</sup>  
Senator Cecil Staton, 18<sup>th</sup>, Ex-Officio  
Senator Steve Thompson, 33<sup>rd</sup>  
Senator John Wiles, 37<sup>th</sup>

A meeting of the Senate Finance Committee was held on Wednesday, January 27, 2010. Committee members present included Senator Rogers, 21<sup>st</sup>, Secretary, who chaired the meeting, and Senators Williams, 19<sup>th</sup>, Goggans, 7<sup>th</sup>, Heath, 31<sup>st</sup>, Hill, 4<sup>th</sup>, Seabaugh, 28<sup>th</sup>, and Thompson, 33<sup>rd</sup>, who arrived late due to a conflicting meeting. Chairman Chance, 16<sup>th</sup>, was absent due to business elsewhere in the Capitol.

The meeting was called to order by Senator Rogers, 21<sup>st</sup>, at 1:00 p.m.

**SB 296 (Senator Seabaugh, 28<sup>th</sup>) State Government; rename Office of Treasury and Fiscal Services to Office of the State Treasurer**

Senator Rogers, 21<sup>st</sup>, called upon Dan Ebersole, Director, Office of Treasury and Fiscal Services, to speak to the bill. He explained that this legislation renames the “Office of Treasury and Fiscal Services” as the “Office of the State Treasurer.” Also, it renames the “Director of the Office of Treasury and Fiscal Services” as the “State Treasurer.” Finally, the term “State Treasurer” will replace the previous name, “Office of Treasury and Fiscal Services,” in all references within state law.

Senator Rogers, 21<sup>st</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Seabaugh, 28<sup>th</sup>, made the motion that **SB 296 “DO PASS.”** Senator Hill, 4<sup>th</sup>, seconded the motion. The motion passed unanimously.

Senator Rogers, 21<sup>st</sup>, adjourned the meeting at 1:02 p.m.

Respectfully submitted,

/s/ Senator Chip Rogers, 21<sup>st</sup>  
Secretary

/s/ Diana Hauser  
Recording Secretary

**Senate Finance Committee**  
**Wednesday, February 10, 2010**  
**4:00 p.m. – 310 CLOB**

**MEMBERS:** Senator Ronnie Chance, 16<sup>th</sup>, Chairman  
Senator Tommie Williams, 19<sup>th</sup>, Vice Chair  
Senator Chip Rogers, 21<sup>st</sup>, Secretary  
Senator Greg Goggans, 7<sup>th</sup>  
Senator Tim Golden, 8<sup>th</sup>  
Senator Bill Heath, 31<sup>st</sup>  
Senator Jack Hill, 4<sup>th</sup>, Ex-Officio  
Senator Mitch Seabaugh, 28<sup>th</sup>  
Senator David Shafer, 48<sup>th</sup>  
Senator Cecil Staton, 18<sup>th</sup>, Ex-Officio  
Senator Steve Thompson, 33<sup>rd</sup>  
Senator John Wiles, 37<sup>th</sup>

A meeting of the Senate Finance Committee was held on Wednesday, February 10, 2010. Members present included Senator Chance, 16<sup>th</sup>, Chairman, and Senators Rogers, 21<sup>st</sup>, Goggans, 7<sup>th</sup>, Golden, 8<sup>th</sup>, Heath, 31<sup>st</sup>, Hill, 4<sup>th</sup>, Seabaugh, 28<sup>th</sup>, Staton, 18<sup>th</sup>, Thompson, 33<sup>rd</sup>, and Wiles, 37<sup>th</sup>.

The meeting was called to order by Chairman Chance, 16<sup>th</sup>, at 4:12 p.m. Chairman Chance, 16<sup>th</sup>, welcomed Senator Wiles, 37<sup>th</sup>, to the Committee replacing Senator Johnson, 1<sup>st</sup>, who had resigned from the Senate and left a vacancy on the committee.

**SB 346 (Senator Rogers, 21<sup>st</sup>) Ad Valorem Taxes; revise comprehensive provisions**

Chairman Chance, 16<sup>th</sup>, called upon Senator Rogers, 21<sup>st</sup>, to speak to the bill. Senator Rogers, 21<sup>st</sup>, asked Mr. W. Wheeler Bryan and Mr. Roger Land, both Atlanta tax attorneys, to join him in presenting the bill since they were major contributors to the [Senate Property Tax Assessments and Appeals \(PTAA\) Study Committee](#) which upon conclusion produced SB 346.

The following summary for **SB 346 (LC 18 8898ERS)** was produced by Brian Scott Johnson, Deputy Director of the Senate Research Office:

This legislation revises numerous provisions relating to real property tax assessments and appeals.

**PART I:**

Annual assessment notices must be provided to property owners regardless of changes in value, and conform to a statewide uniform assessment notice that will be drafted by the GDOR Commissioner. The taxpayer may receive the notices via email. The notice must also contain

any comparable sales data used to determine Fair Market Value (FMV) and estimate the current year's tax liability, but the estimate is non-binding. The GDOR Commissioner must also draft a uniform appeal form for taxpayers to use which allows taxpayers to submit relevant information along with that appeal; moreover, the GDOR Commissioner must set statewide dates for mailing the annual notice to taxpayers. Requirements to post undelivered notices on the county courthouse are deleted.

PART II:

Counties will be authorized to create regional boards of equalization via inter-governmental agreement; these regional boards will operate the same as local boards. Board of equalization members will be required to execute in writing a specific oath which states the members will make decisions without favor or prejudice. If a local grand jury fails to appoint members to a board of equalization, a taxpayer or tax assessor may request in writing that the grand jury complete the appointments within 30 days after the start of the next term.

The county clerk of court will be required to assign a person to oversee the local board of equalization.

Bank sales, foreclosures, distress sales or determination of FMV in the first year after a property is sold cannot be included to determine uniformity. Property ownership as of April 15 of the current tax year will determine eligibility for who may appeal.

Group appeals of commonly-owned or managed property assessment will be authorized.

Changes or corrections made by the tax assessors the changes will be notified in writing to the taxpayer, and a dissatisfied taxpayer will have 30 days to appeal to the board of equalization. If the property owner and the local board of tax assessors sign an agreement setting value, the existing appeal will terminate. If the board of equalization does render a decision within 12 months of initial notice of assessment then the taxpayer's value will be the FMV.

The GDOR Commissioner will draft rules governing procedure during hearings before local boards of equalization within 180 days of this legislation becoming law, and these rules must be updated at least every five years.

Computations of time for applicable deadlines will mirror civil procedure. If the taxpayer and tax assessor agree in writing to the FMV, the county must record the agreed amount on all necessary documents to reflect the value.

Appeals stemming from income-producing property where the FMV exceeds \$1 million, the taxpayer may elect for the grand jury foreman to appoint a panel of State Certified General Appraisers to hear the appeal. The taxpayer and assessor may strike until one officer remains to hear the appeal, and the compensation will be \$250. Final determination equaling less than 80 percent for commercial property and 85 percent for other property the taxpayer will be entitled to litigation costs and attorney's fees.

A "certified appraisal" is defined as one given, signed, and certified by a registered real estate appraiser. Following receipt of notice for binding arbitration, the board of tax assessors has ten days to send the taxpayer acknowledgement of receipt and inform the taxpayer of 45 days to provide the board with a certified appraisal and confirmation of applicable filing fees. Failure to provide the appraisal and necessary fees will terminate the appeal unless the appeal is forwarded to the board of equalization. The board of assessors must accept or reject the certified appraisal within 45 days. If rejected, it will be certified with 45 days to the local superior court which has jurisdiction over the subject property. If the assessors fail to reply either way, the certified appraisal provided by the taxpayer becomes the final value. If more than one parcel is appealed by a single taxpayer, the taxpayer may request consolidation of these appeals into a single hearing. Proof of service may be made to the taxpayer, an attorney or to an agent. If the taxpayer's value is determined by the arbitrator to be the FMV, the county will be responsible for court fees.

Requirements for prepayment of tax liability will not apply to arbitration or appeals to the superior court from the board of equalization. The taxpayer and board of assessors may mutually waive appeal to the county board of equalization and appeal directly to the superior court. Attorneys representing taxpayers must be provided copies of all notices required to be provided to the taxpayer. Appeals to the superior court will be placed on the next available jury calendar. Digital recordings of applicable interviews will be allowed.

Notices of appeal will be deemed filed by the date of the postmark, receipt delivery, or by PDF email, if this process is approved by the local board of assessors.

### PART III:

Real property may be returned for taxation, but personal property must be returned. All real and personal property, regardless if owned by resident or nonresident, will be taxed at FMV, and a return will not be necessary for real property owned by Georgia residents. Personal property owned by nonresidents must be returned for taxation, and tax liability will attach to personal property owned by nonresidents. Tax Commissioners must

receive returns for personal property under the existing timeframe: January 1 to April 1. References to qualifying population criteria are deleted.

All real and tangible personal property located on airport premises will be subject to taxation, and aforementioned personal property must be returned. Existing penalties for failure to make returns will apply to personal property.

PART IV:

Local tax officials and staff including tax collectors and tax commissioners, appraisers, tax assessors, and equalizers will be required to receive instruction through education and training courses provided by GDOR. The materials must be updated at least every five years. Online training will be available for some courses. All training will be made open and available by GDOR to taxpayers or attorneys upon request for a reasonable fee and available space. Training may be made by the Carl Vinson Institute of Government, Georgia Real Estate Appraisers Board of other qualified persons. Persons not holding a high school diploma or equivalent cannot serve on a board of equalization.

New tax collectors or tax commissioners as of January 1, 2011, must complete 40 hours of training.

PART V:

Statutory definitions for Arm's Length Bona Fide Sale (carried out by unrelated or unaffiliated parties by willing buyers and sellers, acting within their own self interests or a bona fide distressed sale) and Distress Sale (good faith transaction without fraud or deceit including foreclosure, short sale, bank sale, or public auction) are added.

The tax assessor is precluded from considering future or uses to determine FMV.

PART VI:

During the period of assessment increase moratorium, the board of tax assessors is not required to maintain various tax digests or valuations. Counties will not be subject to one-fourth mill recovery or \$5 parcel penalties.

PART VII:

Counties, cities, boards of education, the state, and other entities will be authorized to refund taxes paid while under appeal occurring under the purview of this legislation.

PART VIII:

If annual reports by the GDOR Commissioner to the local boards of tax assessors are made on or after August 1, the board of tax assessors must use the report of the past year for its current tax year.

PART IX:

Counties and cities may allow tax payments by multiple installments, set the due dates for those installment payments, and receive the tax payments by any form of payment.

PART X:

Certain requirements for publishing reports of the ad valorem tax rates are eliminated because they are merged with the Taxpayer Bill of Rights; however, advertisements must be published regarding millage increases and roll-back rates. The notice must provide an example of the proposed tax increased for a specific FMV on homestead and non-homestead property. The GDOR Commissioner retains the right to void any millage roll-back increases (if the law has not been followed by the various authorities), and any revenues already received will be returned to the taxpayer.

Roll-back rates for millage purposes are required to be calculated and certified to the GDOR Commissioner by the local tax commissioner for county and educational purposes and as calculated by a municipal tax officer.

PART XI:

Counties are authorized to proceed with tax digests for 2010 tax year and after despite ongoing appeals and arbitration.

PART XII:

The county clerk of superior court must provide notice of a real property transfer as soon as reasonably possible to the tax commissioner and board of assessors once the required real estate transfer tax form has been filed and received.

(End of summary.)

Senator Rogers, 21<sup>st</sup>, explained the bill in detail to the committee members. Discussion ensued and various changes were suggested and agreed to. Legislative Counsel will be updating the bill for further consideration by the committee.

Chairman Chance, 16<sup>th</sup>, did not take a vote on this bill stating that he would allow time for the suggested changes to be made to the legislation and shared at the next meeting. Public testimony was not taken at this meeting because the time allotted for the meeting had expired. Chairman Chance, 16<sup>th</sup>, indicated that he would hear testimony from those

wishing to speak at the next meeting. Note: Mr. R. J. Morris of the Fulton Tax Foundation had signed up to speak in support of the bill.

Senator Thompson, 33<sup>rd</sup>, expressed his compliments and appreciation to Senator Rogers, 21<sup>st</sup>, for spending a great deal of time working to craft new legislation which would correct problems and address issues discovered through the investigative process of the PTAA study committee. Note: Members of the PTAA study committee were: Senators Rogers, 21<sup>st</sup>, Chairman, Butterworth, 50<sup>th</sup>, Chance, 16<sup>th</sup>, Seabaugh, 28<sup>th</sup>, and Thompson, 33<sup>rd</sup>. Testimony was provided to the PTAA study committee by residential and commercial property owners, local elected officials, state and local tax officials, tax attorneys and tax experts, and property tax-related interest groups.

Chairman Chance, 16<sup>th</sup>, adjourned the meeting at 5:28 p.m.

Respectfully submitted,

/s/ Senator Chip Rogers, 21<sup>st</sup>  
Secretary

/s/ Diana Hauser  
Recording Secretary

**Senate Finance Committee**  
**Wednesday, February 17, 2010**  
**4:00 p.m. – 310 CLOB**

**MEMBERS:** Senator Ronnie Chance, 16<sup>th</sup>, Chairman  
Senator Tommie Williams, 19<sup>th</sup>, Vice Chair  
Senator Chip Rogers, 21<sup>st</sup>, Secretary  
Senator Greg Goggans, 7<sup>th</sup>  
Senator Tim Golden, 8<sup>th</sup>  
Senator Bill Heath, 31<sup>st</sup>  
Senator Jack Hill, 4<sup>th</sup>, Ex-Officio  
Senator Mitch Seabaugh, 28<sup>th</sup>  
Senator David Shafer, 48<sup>th</sup>  
Senator Cecil Staton, 18<sup>th</sup>, Ex-Officio  
Senator Steve Thompson, 33<sup>rd</sup>  
Senator John Wiles, 37<sup>th</sup>

A meeting of the Senate Finance Committee was held on Wednesday, February 17, 2010. All committee members were present except Senators Golden, 8<sup>th</sup>, Shafer, 48<sup>th</sup>, and Thompson, 33<sup>rd</sup>.

The meeting was called to order by Chairman Chance, 16<sup>th</sup>, at 4:13 p.m.

**SB 346 (Senator Rogers, 21<sup>st</sup>) Ad Valorem Taxes; revise comprehensive provisions**

Chairman Chance, 16<sup>th</sup>, called upon Senator Rogers, 21<sup>st</sup>, to speak to the bill. Senator Rogers, 21<sup>st</sup>, asked Mr. W. Wheeler Bryan, an Atlanta tax attorney, to join him in presenting the changes made to the bill as a result of the committee meeting held on February 10.

The updated version of SB 346 (LC 18 8938ERS) was discussed highlighting the new language; additional revisions were suggested. Once again, Legislative Counsel will be updating the bill for further consideration by the committee.

Chairman Chance, 16<sup>th</sup>, asked for public testimony. Mr. R. J. Morris and Ms. Barbara Payne, both of the Fulton County Taxpayers Foundation, expressed their wholehearted support for this bill. Mr. Morris provided data concerning current property sales and the corresponding tax assessments which clearly illustrated the need for property tax assessment reform. Mr. Morris stated he was grateful to Senator Rogers, 21<sup>st</sup>, for sponsoring this bill and giving taxpayers a chance for a fair assessment.

Chairman Chance, 16<sup>th</sup>, asked if there were any others who wanted to speak for or against the bill. Having none, Chairman Chance, 16<sup>th</sup>, once again did not take a vote on this bill to allow for more changes to be made to the legislation stating that he expected the bill would be ready for a vote at the next meeting.

**SR 1014 (Senator Staton, 18<sup>th</sup>) Congress; urged to pass legislation extending Bush tax cuts for small businesses**

Chairman Chance, 16<sup>th</sup>, called upon Senator Staton, 18<sup>th</sup>, to speak to the resolution. Senator Staton, 18<sup>th</sup>, explained that with the national unemployment rate in the double digits, it is vital that small businesses, the engine of the United States economy, be supported by the government through favorable tax mechanisms, and, therefore, calling for an extension of the tax cuts deemed necessary to create new jobs and ensure stability by allowing people, instead of the government, to manage their own money.

Senator Heath, 31<sup>st</sup>, suggested that the resolution be expanded to include acknowledgement of the unprecedented spending by the Federal government which has contributed to the country's financial distress, and adding language to urge the Congress of the United States to refrain from raising the debt ceiling again for the purpose of deficit spending. Senator Staton, 18<sup>th</sup>, agreed to these modifications.

Chairman Chance, 16<sup>th</sup>, asked if there were any others who wanted to speak for or against the resolution. Having none, Senator Heath, 31<sup>st</sup>, made the motion to **“DO PASS BY SUBSTITUTE (LC 38 1070S).”** Senator Wiles, 37<sup>th</sup>, seconded the motion. The motion passed unanimously.

Chairman Chance, 16<sup>th</sup>, adjourned the meeting at 5:00 p.m.

Respectfully submitted,

/s/ Senator Chip Rogers, 21<sup>st</sup>  
Secretary

/s/ Diana Hauser  
Recording Secretary

**Senate Finance Committee  
Monday, March 1, 2010  
11:00 a.m. – 310 CLOB**

**MEMBERS:** Senator Ronnie Chance, 16<sup>th</sup>, Chairman  
Senator Tommie Williams, 19<sup>th</sup>, Vice Chair  
Senator Chip Rogers, 21<sup>st</sup>, Secretary  
Senator Greg Goggans, 7<sup>th</sup>  
Senator Tim Golden, 8<sup>th</sup>  
Senator Bill Heath, 31<sup>st</sup>  
Senator Jack Hill, 4<sup>th</sup>, Ex-Officio  
Senator Mitch Seabaugh, 28<sup>th</sup>  
Senator David Shafer, 48<sup>th</sup>  
Senator Cecil Staton, 18<sup>th</sup>, Ex-Officio  
Senator Steve Thompson, 33<sup>rd</sup>  
Senator John Wiles, 37<sup>th</sup>

A meeting of the Senate Finance Committee was held on Monday, March 1, 2010. All committee members were present except Senators Golden, 8<sup>th</sup>, Shafer, 48<sup>th</sup>, and Williams, 19<sup>th</sup>. Senator Thompson, 33<sup>rd</sup>, arrived late, missing the vote on SB 409.

The meeting was called to order by Chairman Chance, 16<sup>th</sup>, at 11:08 a.m.

**SB 409 (Senator Chance, 16<sup>th</sup>) Taxes; provide statement of intent of General Assembly; granting a tax break; raw forest products**

Chairman Chance, 16<sup>th</sup>, explained that the legislation provides a statement of the legislative intent that the tax and other financial incentives for commercially using raw forest products are meant to be equitably extended to establish parity.

Steve McWilliams, Georgia Forestry Association, and John Poole, Georgia Paper and Forest Products Association, both spoke in support of the bill.

Chairman Chance, 16<sup>th</sup>, asked if there were any others who wanted to speak for or against the bill. Having none, Senator Heath, 31<sup>st</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 21 0720ERS).**” Senator Rogers, 21<sup>st</sup>, seconded the motion. The motion passed unanimously.

**SB 346 (Senator Rogers, 21<sup>st</sup>) Ad Valorem Taxes; revise comprehensive provisions**

Chairman Chance, 16<sup>th</sup>, called upon Senator Rogers, 21<sup>st</sup>, to speak to the bill which had been discussed in previous Finance Committee meetings. Senator Rogers, 21<sup>st</sup>, explained the latest changes made to the bill. A short discussion followed.

Chairman Chance, 16<sup>th</sup>, asked if there were any others who wanted to speak for or against the bill. Having none, Senator Thompson, 33<sup>rd</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 14 0273ERS).**” Senator Staton, 18<sup>th</sup>, seconded the motion. The motion passed unanimously.

Chairman Chance, 16<sup>th</sup>, adjourned the meeting at 11:28 a.m.

Respectfully submitted,

/s/ Senator Chip Rogers, 21<sup>st</sup>  
Secretary

/s/ Diana Hauser  
Recording Secretary

**Senate Finance Committee**  
**Wednesday, March 10, 2010**  
**4:00 p.m. – 310 CLOB**

**MEMBERS:** Senator Ronnie Chance, 16<sup>th</sup>, Chairman  
Senator Tommie Williams, 19<sup>th</sup>, Vice Chair  
Senator Chip Rogers, 21<sup>st</sup>, Secretary  
Senator Greg Goggans, 7<sup>th</sup>  
Senator Tim Golden, 8<sup>th</sup>  
Senator Bill Heath, 31<sup>st</sup>  
Senator Jack Hill, 4<sup>th</sup>, Ex-Officio  
Senator Mitch Seabaugh, 28<sup>th</sup>  
Senator David Shafer, 48<sup>th</sup>  
Senator Cecil Staton, 18<sup>th</sup>, Ex-Officio  
Senator Steve Thompson, 33<sup>rd</sup>  
Senator John Wiles, 37<sup>th</sup>

A meeting of the Senate Finance Committee was held on Wednesday, March 10, 2010. All committee members were present except Senators Williams, 19<sup>th</sup>, Rogers, 21<sup>st</sup>, Hill, 4<sup>th</sup>, and Seabaugh, 28<sup>th</sup>.

The meeting was called to order by Chairman Chance, 16<sup>th</sup>, at 4:13 p.m.

**SB 369 (Senator Hamrick, 30th) Buildings/Local Gov't; modify agencies/instrumentalities in which housing authorities/political subdivisions can invest funds**

Chairman Chance, 16<sup>th</sup>, called upon Senator Hamrick, 30<sup>th</sup>, to speak to the bill. This legislation revises provisions relating to investments by housing authorities and local governments by expanding the approved entities into which they may invest their funds. Housing authorities may further invest into bonds or obligations of other states, other Georgia counties and cities.

Senator Hamrick, 30<sup>th</sup>, explained that this bill updates the original code to bring in new, more modern financial instruments for safe investment of the proceeds of bond sales.

Chairman Chance, 16<sup>th</sup>, asked if there were any others who wanted to speak for or against the bill. Having none, Senator Staton, 18<sup>th</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 34 2552S).**” Senator Goggans, 2<sup>nd</sup>, seconded the motion. The motion passed unanimously.

Having no further business, Chairman Chance, 16<sup>th</sup>, adjourned the meeting at 4:15 p.m.

Respectfully submitted,

/s/ Senator Chip Rogers, 21<sup>st</sup>  
Secretary

/s/ Diana Hauser  
Recording Secretary

**Senate Finance Committee  
Wednesday, March 17, 2010  
4:00 p.m. – 310 CLOB**

**MEMBERS:** Senator Ronnie Chance, 16<sup>th</sup>, Chairman  
Senator Tommie Williams, 19<sup>th</sup>, Vice Chair  
Senator Chip Rogers, 21<sup>st</sup>, Secretary  
Senator Greg Goggans, 7<sup>th</sup>  
Senator Tim Golden, 8<sup>th</sup>  
Senator Bill Heath, 31<sup>st</sup>  
Senator Jack Hill, 4<sup>th</sup>, Ex-Officio  
Senator Mitch Seabaugh, 28<sup>th</sup>  
Senator David Shafer, 48<sup>th</sup>  
Senator Cecil Staton, 18<sup>th</sup>, Ex-Officio  
Senator Steve Thompson, 33<sup>rd</sup>  
Senator John Wiles, 37<sup>th</sup>

A meeting of the Senate Finance Committee was held on Wednesday, March 17, 2010. All committee members were present except Senators Golden, 8<sup>th</sup>, Shafer, 48<sup>th</sup>, and Thompson, 33<sup>rd</sup>. Senators Seabaugh, 28<sup>th</sup>, and Shafer, 48<sup>th</sup>, arrived at the meeting at 4:30 p.m. due to a conflicting committee meeting. They were present for the last two bills (SB 513 and SB 478); however, Senator Rogers, 21<sup>st</sup>, left before the final two bills due to a conflicting committee meeting.

The meeting was called to order by Chairman Chance, 16<sup>th</sup>, at 4:03 p.m.

**HB 1028 (Rep. Roberts, 154<sup>th</sup>) Ad valorem tax; forest land conservation use property; revise provisions**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Roberts, 154<sup>th</sup>, to speak to the bill. This legislation amends the Georgia Forest Land Protection Act of 2008 by adding a definition for “contiguous” land, clarifying who will be assessed applicable penalties if a breach in the original covenant occurs, and corrects the code section that was incorrectly cited in the original bill.

Mr. Steve McWilliams, Georgia Forestry Association, spoke in support of this bill.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Wiles, 37<sup>th</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 18 9130S).**” Senator Goggans, 7<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Tolleson, 20<sup>th</sup>, will carry the bill in the Senate.

**HB 984 (Rep. O’Neal, 146<sup>th</sup>) Income taxes; levy or collection of local income taxes; prohibit**

Chairman Chance, 16<sup>th</sup>, called upon Rep. O’Neal, 146<sup>th</sup>, to speak to the bill. Rep. O’Neal, 146<sup>th</sup>, explained the importance of this legislation which prohibits local governments from levying or collecting income taxes.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Heath, 31<sup>st</sup>, made the motion to “**DO PASS.**” Senator Staton, 18<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Wiles, 37<sup>th</sup>, will carry the bill in the Senate.

**SR 1231 (Senator Rogers, 21<sup>st</sup>) Governmental Energy Efficiency; authorize obligations of the state; vendors guarantee realization of specified savings to improvements - CA**

Chairman Chance, 16<sup>th</sup>, called upon Senator Rogers, 21<sup>st</sup>, to speak to the bill. This Constitutional Amendment would allow for multiyear performance contracts for energy efficient or conservation improvement projects; however, the term of the contract could not exceed 25 years.

Mr. Damon Carnes, District General Manager of Honeywell International, Inc. ESCO (Energy Services Coalition), spoke in support of this bill further explaining that it would be good for job creation of mechanical and electrical positions.

Chairman Chance, 16<sup>th</sup>, asked if there were any others who wanted to speak for or against the bill. Having none, Senator Rogers, 21<sup>st</sup>, made the motion to “**DO PASS.**” Senator Williams, 19<sup>th</sup>, seconded the motion. The motion passed unanimously.

**SB 513 (Senator Grant, 25<sup>th</sup>) Ad Valorem Tax; provide conditions; charitable institutions receiving exemption; rent for a fee without invalidating such exemption**

Chairman Chance, 16<sup>th</sup>, called upon Senator Grant, 25<sup>th</sup>, to speak to the bill. Accompanying Senator Grant, 25<sup>th</sup>, to address the committee was the County Attorney for Morgan County, Mr. Christian Henry. This legislation authorizes that under certain conditions charities which own property and receive an exemption from ad valorem real property taxes may be able to rent the buildings on that property to a third party for a fee without invalidating the existing exemption. This legislation would be subject to a state-wide referendum.

There was a lot of discussion about this bill.

Mr. Stan Jones, speaking on behalf of several non-profit organizations, supported the bill but suggested some changes for clarification purposes.

Mr. Clint Austin, ACCG, stated he supported the goal of the legislation but was concerned about some possible unintended consequences. He explained that a similar bill was discussed in the Georgia House of Representatives but no agreement had been reached. He expressed his hope that the Senate legislation be put off until next year so they would have time to work on the language.

Mr. Lamar Horton, GMA, said he shared Mr. Austin's concerns and he, too, would like to see the Senate legislation be put off until next year so they would have time to work on the language.

Chairman Chance, 16<sup>th</sup>, asked if there were any others who wanted to speak for or against the bill. Having none, Chairman Chance, 16<sup>th</sup>, suggested that the bill be tabled so that the language could be perfected during the interim. Senator Grant, 25<sup>th</sup>, stated he agreed to put it off for the 2010 legislative session. Therefore, SB 513 was **"TABLED"** and no vote was taken.

**SB 478 (Senator Seabaugh, 28<sup>th</sup>) State Accounting Office; direct the officer to contract with a third party to audit state contracts for purpose of recovering certain funds**

Chairman Chance, 16<sup>th</sup>, called upon Senator Seabaugh, 28<sup>th</sup>, to speak to the bill.

Senator Seabaugh, 28<sup>th</sup>, explained that this legislation requires the State Accounting Officer to contract for an audit of inadvertent overpayments by state agencies to vendors due to pricing errors, neglected rebates and discounts, miscalculated freight charges, unclaimed refunds, erroneously paid excise taxes, noncompliance with contract provisions, and related errors for the 2007-2010 fiscal years and annually thereafter. A report must be provided annually by the State Accounting Officer no later than December 31 to the Governor, Speaker, Lieutenant Governor, and applicable affected state agencies. This audit will not be required on state health plans including Medicaid, PeachCare, state employees and public school system health insurance plans.

Chairman Chance, 16<sup>th</sup>, asked if there were any others who wanted to speak for or against the bill. Having none, Senator Hill, 4<sup>th</sup>, made the motion to **"DO PASS."** Senator Wiles, 37<sup>th</sup>, seconded the motion. The motion passed unanimously.

Having no further business, Chairman Chance, 16<sup>th</sup>, adjourned the meeting at 4:45 p.m.

Respectfully submitted,

/s/ Senator Chip Rogers, 21<sup>st</sup>  
Secretary

/s/ Diana Hauser  
Recording Secretary

**Senate Finance Committee  
Monday, March 22, 2010  
10:00 a.m. – Capitol Room 450**

**MEMBERS:** Senator Ronnie Chance, 16<sup>th</sup>, Chairman  
Senator Tommie Williams, 19<sup>th</sup>, Vice Chair  
Senator Chip Rogers, 21<sup>st</sup>, Secretary  
Senator Greg Goggans, 7<sup>th</sup>  
Senator Tim Golden, 8<sup>th</sup>  
Senator Bill Heath, 31<sup>st</sup>  
Senator Jack Hill, 4<sup>th</sup>, Ex-Officio  
Senator Mitch Seabaugh, 28<sup>th</sup>  
Senator David Shafer, 48<sup>th</sup>  
Senator Cecil Staton, 18<sup>th</sup>, Ex-Officio  
Senator Steve Thompson, 33<sup>rd</sup>  
Senator John Wiles, 37<sup>th</sup>

A meeting of the Senate Finance Committee was held on Monday, March 22, 2010. All committee members were present except Senators Rogers, 21<sup>st</sup>, Golden, 8<sup>th</sup>, Shafer, 48<sup>th</sup>, and Wiles, 37<sup>th</sup>.

The meeting was called to order by Chairman Chance, 16<sup>th</sup>, at 10:15 a.m.

**HB 963 (Rep. O’Neal, 146<sup>th</sup>) Ad valorem tax; returns of taxable real property; change certain provisions**

Chairman Chance, 16<sup>th</sup>, called upon Rep. O’Neal, 146<sup>th</sup>, to speak to the bill. Rep. O’Neal, 146<sup>th</sup>, explained that this bill fixes two ambiguities in the code relating to ad valorem taxation of real property.

First, requirements that property tax returns be made in person or by mail are deleted. Second, regarding homestead exemptions for educational purposes, requirements that all family household income be included while determining eligibility are deleted. The income threshold for owner and spouse remains at \$10,000.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Hill, 4<sup>th</sup>, made the motion to “**DO PASS.**” Senator Seabaugh, 28<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Rogers, 21<sup>st</sup>, will carry the bill in the Senate.

**HB 1188 (Rep. O’Neal, 146<sup>th</sup>) Revenue and taxation; appoint special agents of Department of Revenue; provide**

Chairman Chance, 16<sup>th</sup>, called upon Rep. O’Neal, 146<sup>th</sup>, to speak to the bill. Rep. O’Neal, 146<sup>th</sup>, explained that this legislation authorizes the Revenue Commissioner to appoint up to eight law enforcement officers as special agents to enforce the revenue code. The officers must meet existing peace officer requirements and be certified by the Georgia Peace Officer Standards and Training Council.

There already are law enforcement officers who specifically work under auto tags and alcohol divisions.

There was considerable discussion about this bill and whether additional code was needed for clarification or if it would be redundant. Chairman Chance, 16<sup>th</sup>, called upon General Assembly Legislative Counsel Sewell Brumby for his opinion on this matter. He explained that it could seem redundant and it wasn’t necessary.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Williams, 19<sup>th</sup>, made the motion to “**DO PASS.**” Senator Staton, 18<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Rogers, 21<sup>st</sup>, will carry the bill in the Senate.

Note that following this vote, Senator Thompson, 33<sup>rd</sup>, left the meeting due to a conflict with another committee meeting where he was needed for a quorum.

**SB 517 (Senator Heath, 31<sup>st</sup>) Ad Valorem Taxes; manner and time of making the state ad valorem tax levy; revise and change provisions**

Chairman Chance, 16<sup>th</sup>, called upon Senator Heath, 31<sup>st</sup>, to speak to the bill. Senator Heath, 31<sup>st</sup>, explained that this legislation authorizes the levy and collection of the state quarter mil ad valorem tax on defending the state during emergencies as declared by the Governor. This prohibition will not apply to public utilities, railroads, and airlines. This prohibition will not occur until the year after there is at least \$500 million in the revenue shortfall reserve.

This legislation codifies the Constitutional Amendment question presented in Senate Resolution 1287, which will be presented to this committee following approval of this bill.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Seabaugh, 28<sup>th</sup>, made the motion to “**DO PASS.**” Senator Heath, 31<sup>st</sup>, seconded the motion. The motion passed unanimously.

**SR 1287 (Senator Heath, 31<sup>st</sup>) Taxes; prohibit the levy of state ad valorem taxes except in the case of an emergency - CA**

Chairman Chance, 16<sup>th</sup>, called upon Senator Heath, 31<sup>st</sup>, to speak to the resolution. Senator Heath, 31<sup>st</sup>, explained that this legislation proposes a constitutional amendment that authorizes the levy and collection of the state quarter mil ad valorem tax on defending the state during emergencies as declared by the Governor.

The ballot submitting the above proposed amendment shall have written or printed thereon the following:

YES

NO

Shall the Constitution of Georgia be amended so as to prohibit state ad valorem taxes except for emergencies?"

This Constitutional Amendment is codified by Senate Bill 517.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the resolution. Having none, Senator Heath, 31<sup>st</sup>, made the motion to "**DO PASS.**" Senator Seabaugh, 28<sup>th</sup>, seconded the motion. The motion passed unanimously.

Having no further business, Chairman Chance, 16<sup>th</sup>, adjourned the meeting at 10:55 a.m.

Respectfully submitted,

/s/ Senator Ronnie Chance, 16<sup>th</sup>  
Chairman

/s/ Diana Hauser  
Recording Secretary

**Senate Finance Committee**  
**Tuesday, March 30, 2010**  
**8:00 a.m. – CLOB 310**

**MEMBERS:** Senator Ronnie Chance, 16<sup>th</sup>, Chairman  
Senator Tommie Williams, 19<sup>th</sup>, Vice Chair  
Senator Chip Rogers, 21<sup>st</sup>, Secretary  
Senator Greg Goggans, 7<sup>th</sup>  
Senator Tim Golden, 8<sup>th</sup>  
Senator Bill Heath, 31<sup>st</sup>  
Senator Jack Hill, 4<sup>th</sup>, Ex-Officio  
Senator Mitch Seabaugh, 28<sup>th</sup>  
Senator David Shafer, 48<sup>th</sup>  
Senator Cecil Staton, 18<sup>th</sup>, Ex-Officio  
Senator Steve Thompson, 33<sup>rd</sup>  
Senator John Wiles, 37<sup>th</sup>

A meeting of the Senate Finance Committee was held on Tuesday, March 30, 2010. All committee members were present except Senators Golden, 8<sup>th</sup>, Seabaugh, 28<sup>th</sup>, Shafer, 48<sup>th</sup>, and Thompson, 33<sup>rd</sup>.

The meeting was called to order by Chairman Chance, 16<sup>th</sup>, at 8:13 a.m.

**[HB 1023](#) (Rep. Graves, 12<sup>th</sup>) Jobs, Opportunity, and Business Success Act of 2010; enact**

Chairman Chance, 16<sup>th</sup>, called upon Senator Rogers, 21<sup>st</sup>, to speak to the bill.

This legislation does several things:

It suspends the levy of filing fees for new businesses and limited liability companies and partnerships as collected by the Secretary of State if filed electronically and will sunset on June 30, 2011; this suspension will be known as the “Year of Georgia Entrepreneurs.”

The *Georgia Works Tax Credit* will be available quarterly for amounts between \$25 and \$125 per unemployed individual hired as an employee for up to four calendar quarters; this applies to unemployment insurance tax obligations.

The corporate and individual capital gains tax rate will be reduced by 25 percent for the first year the revenue shortfall reserve reaches \$500 million; the rate reduction will be 50 percent for the next year.

Creditable employees must be verified for eligibility to work in the United States; an employer utilizing the “E-Verify” federal system will be eligible to apply for and receive an income tax credit for \$2,400 for each creditable employee at the completion of 24 months of consecutive employment. This credit may be carried forward for two years.

The *Angel Investor Income Tax Credit* is established to encourage third-party investors to assist innovative wealth-creating businesses.

This legislation also eliminates the net worth tax on Georgia corporations after January 1, 2012.

There was some discussion about the bill. Dr. Carolyn Bourdeaux, Director of the Senate Budget and Evaluation Office, clarified a couple of points in the bill.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Rogers, 21<sup>st</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 18 9185ERS).**” Senator Williams, 19<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Rogers, 21<sup>st</sup>, will carry the bill in the Senate.

**HB 307 (Rep. Cole, 125<sup>th</sup>) Medicaid; federal financial participation; hospitals; impose fee**

Chairman Chance, 16<sup>th</sup>, called upon Senator Williams, 19<sup>th</sup>, to speak to the bill.

This substitute legislation includes language from the original House Bill 307 regarding the hospital provider fee which is a levy of 1.45 percent of the net patient revenue of that hospital; trauma centers will be assessed at a rate of 1.38 percent of the net patient revenue. The provider payment ends on June 30, 2013.

The revenues from this fee will be deposited into a segregated account in the newly created Indigent Care Trust Fund.

The hospital provider payments will be paid at the end of each calendar quarter to the Department of Revenue (DOR) and will be based on the most completed and audited Medicaid and Medicare cost reports submitted by the Department of Community Health (DCH). Ambulatory provider payments will be based on the annual financial survey submitted to DCH. Payments commence on September 30, 2010. Payments will be credited by DCH toward indigent or charity care commitments imposed by DCH. The provider payments will be collected for the sole purpose of obtaining federal medical assistance for Medicaid recipients.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Williams, 19<sup>th</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 33 3746S).**” Senator Rogers, 21<sup>st</sup>, seconded the motion. The motion passed unanimously. Senator Williams, 19<sup>th</sup>, will carry the bill in the Senate.

Having no further business, Chairman Chance, 16<sup>th</sup>, adjourned the meeting at 8:33 a.m.

Respectfully submitted,

/s/ Senator Chip Rogers, 21<sup>st</sup>  
Secretary

/s/ Diana Hauser  
Recording Secretary

**Senate Finance Committee  
Wednesday, March 31, 2010  
4:00 p.m. – CLOB 310**

**MEMBERS:** Senator Ronnie Chance, 16<sup>th</sup>, Chairman  
Senator Tommie Williams, 19<sup>th</sup>, Vice Chair  
Senator Chip Rogers, 21<sup>st</sup>, Secretary  
Senator Greg Goggans, 7<sup>th</sup>  
Senator Tim Golden, 8<sup>th</sup>  
Senator Bill Heath, 31<sup>st</sup>  
Senator Jack Hill, 4<sup>th</sup>, Ex-Officio  
Senator Mitch Seabaugh, 28<sup>th</sup>  
Senator David Shafer, 48<sup>th</sup>  
Senator Cecil Staton, 18<sup>th</sup>, Ex-Officio  
Senator Steve Thompson, 33<sup>rd</sup>  
Senator John Wiles, 37<sup>th</sup>

A meeting of the Senate Finance Committee was held on Wednesday, March 31, 2010. All committee members were present except Senators Golden, 8<sup>th</sup>, Hill, 4<sup>th</sup>, and Shafer, 48<sup>th</sup>.

The meeting was called to order by Chairman Chance, 16<sup>th</sup>, at 4:15 p.m.

**HB 903 (Rep. Burkhalter, 50<sup>th</sup>) County and municipal tax levies; fund domed stadium; revise provisions**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Burkhalter, 50<sup>th</sup>, to speak to the bill. This legislation authorizes the extension via resolution for the levying by the city and county (City of Atlanta and Fulton County) of the local motel and hotel tax on public accommodations through December 31, 2050; however, the Georgia World Congress Center Authority must certify that a portion of tax collected during the extended time period must be used for the successor facility to the Georgia Dome and that the facility will be used under contract with the NFL through the extended tax collection period.

An amount of 39.3 percent of the total tax collected must be spent on the successor facility to the Georgia Dome.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Rogers, 21<sup>st</sup>, made the motion to “**DO PASS.**” Senator Williams, 19<sup>th</sup>, seconded the motion. The motion passed unanimously. Chairman Chance, 16<sup>th</sup>, will carry the bill in the Senate.

**HB 1191 (Rep. O’Neal, 146<sup>th</sup>) Encumbered property; recording, payment, and distribution of tax; change provisions**

Chairman Chance, 16<sup>th</sup>, called upon Rep. O’Neal, 146<sup>th</sup>, to speak to the bill. This legislation authorizes the tax due from the recording of an instrument that conveys, encumbers or creates a lien in more than one county or across state lines to be prorated among all applicable counties that have jurisdiction over the subject real property. Currently, the county where the instrument is first recorded is where the tax is paid. The proration will be calculated via the ratio of the real property in that county according to the deed or instrument particularly describing the real estate to the total tax due. An original or duplicate of the deed or instrument must be recorded in each county.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Rogers, 21<sup>st</sup>, made the motion to “**DO PASS.**” Senator Heath, 31<sup>st</sup>, seconded the motion. The motion passed unanimously. Senator Chance, 16<sup>th</sup>, will carry the bill in the Senate.

**HB 1192 (Rep. O’Neal, 146<sup>th</sup>) Real estate transfer tax; property in more than one county; change provisions**

Chairman Chance, 16<sup>th</sup>, called upon Rep. O’Neal, 146<sup>th</sup>, to speak to the bill. This legislation authorizes for real estate transfer tax payments to be prorated and distributed to applicable counties that have jurisdiction over the subject real property. The proration will be calculated via the ratio of the real property in that county according to the deed or instrument particularly describing the real estate to the total tax due. An original or duplicate of the deed or instrument must be recorded in each county.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Rogers, 21<sup>st</sup>, made the motion to “**DO PASS.**” Senator Thompson, 33<sup>rd</sup>, seconded the motion. The motion passed unanimously. Senator Chance, 16<sup>th</sup>, will carry the bill in the Senate.

**HB 1138 (Rep. O’Neal, 146<sup>th</sup>) Revenue and tax; define Internal Revenue Code; incorporate federal law**

Chairman Chance, 16<sup>th</sup>, called upon Rep. O’Neal, 146<sup>th</sup>, to speak to the bill. This legislation incorporates the 2009 changes to the federal IRS Code including provisions relating to: Military Spouses Residency Relief Act (excludes income earned by spouse); Worker, Homeownership, and Business Assistance Act; American Recovery and Reinvestment Act (Stimulus); Defense Appropriations; and charitable contributions for Haiti earthquake relief.

Specifically excepted from these incorporations relate to deductions for sales tax on automobiles and \$2,400 exclusion for unemployment compensation.

The estimated fiscal impact through 2014 for this legislation is a net of \$9 million.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Rogers, 21<sup>st</sup>, made the motion to “**DO PASS.**” Senator Williams, 19<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Chance, 16<sup>th</sup>, will carry the bill in the Senate.

**HB 982 (Rep. O’Neal, 146<sup>th</sup>) Revenue and taxation; administrative garnishment; comprehensive revisions**

Chairman Chance, 16<sup>th</sup>, called upon Rep. O’Neal, 146<sup>th</sup>, to speak to the bill. This legislation authorizes the Georgia Department of Revenue (GDOR) to administratively garnish delinquent taxes, fees, penalties, interest, costs due to the state.

A lengthy discussion followed about the method of service of the garnishment. Senator Wiles, 37<sup>th</sup>, questioned the process and cited his opinion of deficiencies within the proposed code.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Rogers, 21<sup>st</sup>, made the motion to “**TABLE**” HB 982. Senator Heath, 31<sup>st</sup>, seconded the motion.

**HB 1405 (Rep. O’Neal, 146<sup>th</sup>) 2010 Special Council on Tax Reform and Fairness for Georgians; Special Joint Committee on Georgia Revenue Structure; create**

Chairman Chance, 16<sup>th</sup>, called upon Rep. O’Neal, 146<sup>th</sup>, to speak to the bill. This legislation finds that it has been many years since there has been a systematic review of Georgia’s revenue structure, and it creates the *2010 Special Council on Tax Reform and Fairness for Georgians* to be comprised of Drs. David Sjoquist, Jeffrey Humphreys, Roger Tutterow, and Christine Ries; Governor Sonny Perdue; Chairpersons of the Georgia Chamber of Commerce and National Federation of Independent Businesses; and two members each appointed by the Speaker and Lieutenant Governor. The Council will make a report of its findings and recommendations for legislation by January 10, 2011.

The *Special Joint Committee on Georgia Revenue Structure* (SJC) will consist of the President and Speaker Pro Tempores; Majority and Minority Leaders; Chairpersons of the Finance and Ways & Means Committees (who will serve as Co-Chairpersons); two members each from the Senate and the House representing both the majority and minority parties in each chamber. Legislation stemming from the Special Council will be introduced in the House and referred to the SJC; legislation receiving do pass and substitute recommendations will be sent directly to the House for an up-or-down vote with no amendments. Legislation must be read by each chamber three times on three separate days.

These provisions will sunset on July 1, 2012.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Wiles, 37<sup>th</sup>, made the motion to “**DO PASS.**” Senator Staton, 18<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Rogers, 21<sup>st</sup>, will carry the bill in the Senate.

Having no further business, Chairman Chance, 16<sup>th</sup>, adjourned the meeting at 5:10 p.m.

Respectfully submitted,

/s/ Senator Chip Rogers, 21<sup>st</sup>  
Secretary

/s/ Diana Hauser  
Recording Secretary

**Senate Finance Committee**  
**Monday, April 12, 2010**  
**8:00 a.m. – Capitol Room 450**

**MEMBERS:** Senator Ronnie Chance, 16<sup>th</sup>, Chairman  
Senator Tommie Williams, 19<sup>th</sup>, Vice Chair  
Senator Chip Rogers, 21<sup>st</sup>, Secretary  
Senator Greg Goggans, 7<sup>th</sup>  
Senator Tim Golden, 8<sup>th</sup>  
Senator Bill Heath, 31<sup>st</sup>  
Senator Jack Hill, 4<sup>th</sup>, Ex-Officio  
Senator Mitch Seabaugh, 28<sup>th</sup>  
Senator David Shafer, 48<sup>th</sup>  
Senator Cecil Staton, 18<sup>th</sup>, Ex-Officio  
Senator Steve Thompson, 33<sup>rd</sup>  
Senator John Wiles, 37<sup>th</sup>

A meeting of the Senate Finance Committee was held on Monday, April 12, 2010. All committee members were present except Senators Golden, 8<sup>th</sup>, and Shafer, 48<sup>th</sup>, and Thompson, 33<sup>rd</sup>.

The meeting was called to order by Chairman Chance, 16<sup>th</sup>, at 8:10 a.m.

**[HB 1284](#) (Rep. Smith, 131<sup>st</sup>) Planning and Budget, Office of; record of user fees collected; provide for publication**

Chairman Chance, 16<sup>th</sup>, called upon Senator Goggans, 7<sup>th</sup>, to speak to the bill. This legislation adds a definition applying to the Office of Planning and Budget (OPB). The term “fee” is added and means voluntary and mandatory payments including business license fees, application costs, fines, penalties, surcharges, add-ons, or assessments.

This bill requires all departments, agencies, and budget units that collect user fees to compile a separate annual report to be submitted to the Office of Planning and Budget. Furthermore, it specifies that this report must be published on the Open Georgia website.

During a brief discussion, it was pointed out that this will assist appropriators in making better budget decisions.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Rogers, 21<sup>st</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 18 9219S).**” Senator Staton, 18<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Goggans, 7<sup>th</sup>, will carry the bill in the Senate.

**HB 1170 (Rep. Cole, 125<sup>th</sup>) Medical assistance; health organizations providing service under Medicaid; repeal tax exemption**

Chairman Chance, 16<sup>th</sup>, called upon Senator Goggans, 7<sup>th</sup>, to speak to the bill. The Code section providing an exemption to health maintenance organizations (HMOs) under contract with the Department of Community Health for health care services for the state's Medicaid program is repealed. Such taxes and fees are imposed on HMOs under Code Section 33-21-16. It was explained that this will assist in drawing down federal funds.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Heath, 31<sup>st</sup>, made the motion to **“DO PASS.”** Senator Hill, 4<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Goggans, 7<sup>th</sup>, will carry the bill in the Senate.

**HB 994 (Rep. Houston, 170<sup>th</sup>) Community Health, Department of; regulatory authority; revise provisions**

Chairman Chance, 16<sup>th</sup>, called upon Senator Goggans, 7<sup>th</sup>, to speak to the bill. This legislation requires the Department of Community Health (DCH) to establish a schedule of fees for licensure activities for institutions and other health care related entities required to be licensed by DCH. The fee schedule is to help defray costs incurred by DCH but may not exceed such costs. Moreover, the fee schedule may not be adjusted more than annually and may not be increased by more than the annual rate of inflation as measured by the Consumer Price Index.

Additionally, this bill allows DCH to accept the certification or accreditation of any entity or program by a certification or accreditation body as compliance with the substantially similar requirements of DCH for issuance or renewal of a permit.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Wiles, 37<sup>th</sup>, made the motion to **“DO PASS.”** Senator Williams, 19<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Goggans, 7<sup>th</sup>, will carry the bill in the Senate.

**HB 1055 (Rep. Levitas, 82<sup>nd</sup>) Drivers' licenses; fees for temporary licenses or identification cards; change**

Chairman Chance, 16<sup>th</sup>, called upon Senator Goggans, 7<sup>th</sup>, to speak to the bill. This legislation revises and updates numerous outdated and antiquated user and service fees; no driver's license or hunting/fishing licenses will cost more. Senator Goggans, 7<sup>th</sup>, reviewed the bill in extensive detail.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Wiles, 37<sup>th</sup>, made the motion to **“DO PASS BY SUBSTITUTE (LC 18 9222ERS).”** Senator Williams, 19<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Goggans, 7<sup>th</sup>, will carry the bill in the Senate.

Having no further business, Chairman Chance, 16<sup>th</sup>, adjourned the meeting at 8:54 a.m.

Respectfully submitted,

/s/ Senator Chip Rogers, 21<sup>st</sup>  
Secretary

/s/ Diana Hauser  
Recording Secretary

**Senate Finance Committee**  
**Wednesday, April 14, 2010**  
**4:00 p.m. – 307 CLOB**

**MEMBERS:** Senator Ronnie Chance, 16<sup>th</sup>, Chairman  
Senator Tommie Williams, 19<sup>th</sup>, Vice Chair  
Senator Chip Rogers, 21<sup>st</sup>, Secretary  
Senator Greg Goggans, 7<sup>th</sup>  
Senator Tim Golden, 8<sup>th</sup>  
Senator Bill Heath, 31<sup>st</sup>  
Senator Jack Hill, 4<sup>th</sup>, Ex-Officio  
Senator Mitch Seabaugh, 28<sup>th</sup>  
Senator David Shafer, 48<sup>th</sup>  
Senator Cecil Staton, 18<sup>th</sup>, Ex-Officio  
Senator Steve Thompson, 33<sup>rd</sup>  
Senator John Wiles, 37<sup>th</sup>

A meeting of the Senate Finance Committee was held on Wednesday, April 14, 2010. All committee members were present except Senators Hill, 4<sup>th</sup>, Shafer, 48<sup>th</sup>, and Thompson, 33<sup>rd</sup>.

The meeting was called to order by Chairman Chance, 16<sup>th</sup>, at 5:17 p.m.

**[HB 347](#) (Rep. England, 108<sup>th</sup>) Sales and use tax; sales price; change definition**

Chairman Chance, 16<sup>th</sup>, called upon Rep. England, 108<sup>th</sup>, to speak to the bill. This legislation changes the definition of sales price so that it does not include amounts paid by the lessee/renter to the lessor/rentor for ad valorem taxes paid on rental equipment that has been identified as such.

There was a discussion regarding putting the provisions from [HB 1409](#) into this bill; however, the idea was rejected.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Heath, 31<sup>st</sup>, made the motion to “**DO PASS.**” Senator Goggans, 7<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Rogers, 21<sup>st</sup>, will carry the bill in the Senate.

**[HB 483](#) (Rep. Roberts, 154<sup>th</sup>) Ad valorem tax; modernization and revisions of certain provisions; provide**

Chairman Chance, 16<sup>th</sup>, called upon Senator Rogers, 21<sup>st</sup>, to speak to the bill on behalf of Rep. Roberts, 154<sup>th</sup>. This legislation authorizes the existing ad valorem tax exemption to be additionally utilized by cooperatives or public utilities. Further, the \$100,000 annual maximum value of ad valorem exemption is deleted and replaced with a maximum

exemption amount up to 50 percent of the heavy-duty vehicle's assessed value provided that the exemption is applied for prior to July 1, 2010.

Mr. Clint Mueller, ACCG, and Mr. Richard Royal, GMA/GSBA were against this bill.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Staton, 18<sup>th</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 18 9237TS).**” Senator Goggans, 7<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Rogers, 21<sup>st</sup>, will carry the bill in the Senate.

**HB 1012 (Rep. Horne, 71<sup>st</sup>) Special license plates; service members killed in action; expand definition**

Chairman Chance, 16<sup>th</sup>, called upon Senator Seabaugh, 28<sup>th</sup>, to speak to the bill on behalf of Rep. Horne, 71<sup>st</sup>. This legislation authorizes family members of service personnel killed in action to be eligible for the Gold Star license plate. Eligible family members include parents, stepparents, children and siblings.

One free plate will be issued to spouse, mother, child and father if the service and family member was a Georgia resident at the time of death. Renewal decals will be provided at no cost if a free license plate is granted.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Williams, 19<sup>th</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 18 9251S).**” Senator Goggans, 7<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Seabaugh, 28<sup>th</sup>, will carry the bill in the Senate.

**HB 1041 (Rep. Epps, 140<sup>th</sup>) Tax digests; not approved by commissioner under certain conditions; eliminate**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Epps, 140<sup>th</sup>, to speak to the bill. This legislation authorizes the Revenue Commissioner to approve a tax digest for 2010 for a county where appeals have been filed or arbitrations demanded. Language preventing the Revenue Commissioner from approving digests where more than 3 percent of the value is in question is deleted. (This language is effectuated in Part XI of Senate Bill 346.)

Mr. Clint Mueller, ACCG, spoke in support of this bill.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Staton, 18<sup>th</sup>, made the motion to “**DO PASS.**” Senator Heath, 31<sup>st</sup>, seconded the motion. The motion passed unanimously. Senator Staton, 18<sup>th</sup>, will carry the bill in the Senate.

**HB 1060 (Rep. Stephens, 164<sup>th</sup>) Georgia Ports Authority; comprehensive revisions; provide**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Stephens, 164<sup>th</sup>, to speak to the bill. This legislation amends provisions relating to the Georgia Ports Authority (GPA) including the following: the definition of “cost of project” is expanded, GPA power relating to indebtedness is expanded, and an existing requirement that the GPA invest monies only in obligations which are eligible as security for the investment of trust funds under rules and regulations of the Federal Reserve Board is deleted.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Golden, 8<sup>th</sup>, made the motion to “**DO PASS.**” Senator Staton, 18<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Carter, 1<sup>st</sup>, will carry the bill in the Senate.

**HB 1069 (Rep. Wilkinson, 52<sup>nd</sup>) Income tax; credits for equipment that reduces energy or water usage; provide**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Wilkinson, 52<sup>nd</sup>, to speak to the bill. This legislation authorizes an income tax credit for the installation of energy- and/or water-efficient equipment.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Rogers, 21<sup>st</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 18 9223S).**” Senator Staton, 18<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Rogers, 21<sup>st</sup>, will carry the bill in the Senate.

**HB 1093 (Rep. Knight, 126<sup>th</sup>) Occupation taxes; county provide electronic information to Department of Revenue; provisions**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Knight, 126<sup>th</sup>, to speak to the bill. This legislation requires a city or county that levies occupation taxes or regulatory fees to collect specific information and provide same electronically to the Georgia Department of Revenue (GDOR). The city or county must first resolve to consent to participate in order to assist the GDOR to more effectively collect sales taxes by having a better list of businesses operating at the local level.

The information must be collected at the time the tax or fee is due, and the local government will provide notice that the information, or refusal to provide it, will be sent to the GDOR. The local government has 30 days to submit this information and must also submit the applicable North American Industry Classification System Code number to the GDOR.

This bill is supported by all of the following agencies: DOR, ACCG, GMA, NFIB (National Federation of Independent Business), and the GRA (Georgia Retail Association).

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Rogers, 21<sup>st</sup>, made the motion to “**DO PASS.**” Senator Goggans, 7<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Rogers, 21<sup>st</sup>, will carry the bill in the Senate.

**HB 1105 (Rep. Channell, 116<sup>th</sup>) Watercraft held in inventory; exempt from taxation; provide**

Chairman Chance, 16<sup>th</sup>, called upon Senator Goggans, 7<sup>th</sup>, to speak to the bill on behalf of Rep. Channell, 116<sup>th</sup>. This legislation extends the existing separate classification for watercraft inventory held for sale or resale. The watercraft must be owned by the dealer and are not required to be returned for ad valorem taxation.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Rogers, 21<sup>st</sup>, made the motion to “**DO PASS.**” Senator Seabaugh, 28<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Goggans, 7<sup>th</sup>, will carry the bill in the Senate.

**HB 1186 (Rep. Roberts, 154<sup>th</sup>) Ad valorem tax exemption; certain public-private transportation projects; provisions**

Chairman Chance, 16<sup>th</sup>, called upon Senator Staton, 18<sup>th</sup>, to speak to the bill on behalf of Rep. Roberts, 154<sup>th</sup>. This legislation exempts property which qualifies as a public-private transportation project from ad valorem taxation because it is deemed to be public property and it will not constitute a special franchise.

Ms. Stephanie Carter, representing GDOT, spoke in support of this bill.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Williams, 19<sup>th</sup>, made the motion to “**DO PASS.**” Senator Golden, 8<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Staton, 18<sup>th</sup>, will carry the bill in the Senate.

**HB 1221 (Rep. O’Neal, 146<sup>th</sup>) Sales and use tax; change certain definitions**

Chairman Chance, 16<sup>th</sup>, called upon Senator Balfour, 9<sup>th</sup>, to speak to the bill on behalf of Rep. O’Neal, 146<sup>th</sup>. Generally, this legislation authorizes Georgia’s participation with 23 other states under the Streamlined Sales Tax Agreement. It does not sunset.

It also extends eligibility for Lockheed-Martin to receive tax exempt status as a federal agent.

This bill is supported by ACCG and the GRA.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Staton, 18<sup>th</sup>, made the motion to “**DO PASS BY SUBSTITUTE**

(LC 18 9252ERS).” Senator Rogers, 21<sup>st</sup>, seconded the motion. The motion passed unanimously. Senator Balfour, 9<sup>th</sup>, will carry the bill in the Senate.

**HB 1272 (Rep. Collins, 95<sup>th</sup>) Income tax returns; make contributions for lupus and kidney disease; authorize**

Chairman Chance, 16<sup>th</sup>, called upon Senator Staton, 18<sup>th</sup>, to speak to the bill on behalf of Rep. Collins, 95<sup>th</sup>. This legislation authorizes a voluntary contribution into a newly created Lupus and Kidney Disease Research Program Fund, and contributions cannot be used for personnel and administrative positions. The Georgia Department of Revenue will report an annual balance and provide the report to the Governor, Lieutenant Governor, Speaker, members of the Board of Human Services, and the public (upon request). Balances may not be deposited into the general treasury.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Wiles, 37<sup>th</sup>, made the motion to “**DO PASS.**” Senator Rogers, 21<sup>st</sup>, seconded the motion. The motion passed unanimously. Senator Douglas, 17<sup>th</sup>, will carry the bill in the Senate.

**HB 1321 (Rep. Harbin, 118<sup>th</sup>) Emergency Telephone System Fund; additional use for moneys; provide**

Chairman Chance, 16<sup>th</sup>, called upon Senator Goggans, 7<sup>th</sup>, to speak to the bill on behalf of Rep. Harbin, 118<sup>th</sup>. This legislation authorized E 911 funds to be used for lease, purchase, or maintenance of hardware and software that are necessary to effectuate the emergency response service including public safety wireless voice only if the local government provides enhanced 911 services, the county’s emergency charges fund the 911 system, and the county maintains a reserve amount of 10 percent of last year’s expenses.

A discussion followed where it was explained that only four counties will qualify: Cobb, Coweta, DeKalb, and Gwinnett.

Mr. Clint Mueller, ACCG, spoke in support of this bill.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Wiles, 37<sup>th</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 28 5256S).**” Senator Goggans, 7<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Wiles, 37<sup>th</sup>, will carry the bill in the Senate.

**HB 1393 (Rep. Abdul-Salaam, 74<sup>th</sup>) Sales and use tax; cap exemption; metropolitan public transportation purposes; provide**

Chairman Chance, 16<sup>th</sup>, called upon Senator Jones, 10<sup>th</sup>, to speak to the bill on behalf of Rep. Abdul-Salaam, 74<sup>th</sup>. This legislation authorizes a county to exceed the sales tax rate cap of 2 percent if the county levies a tax for public transportation that is first levied after

January 2010, but the sales tax will not apply to jet fuel purchases or motor vehicle sales. (In the case of Clayton County, it will help C-Tran.)

Further, this legislation extends the motor fuel sales tax exemption for public and campus transportation systems.

Mr. Tom Bauer, representing the Georgia Transit Association, spoke in support of this bill.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Staton, 18<sup>th</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 18 9236ERS).**” Senator Golden, 8<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Jones, 10<sup>th</sup>, will carry the bill in the Senate.

Having no further business, Senator Chance, 16<sup>th</sup>, adjourned the meeting at 6:38 p.m.

Respectfully submitted,

/s/ Senator Chip Rogers, 21<sup>st</sup>  
Secretary

/s/ Diana Hauser  
Recording Secretary

**Senate Finance Committee**  
**Monday, April 19, 2010**  
**4:00 p.m. – 310 CLOB**

**MEMBERS:** Senator Ronnie Chance, 16<sup>th</sup>, Chairman  
Senator Tommie Williams, 19<sup>th</sup>, Vice Chair  
Senator Chip Rogers, 21<sup>st</sup>, Secretary  
Senator Greg Goggans, 7<sup>th</sup>  
Senator Tim Golden, 8<sup>th</sup>  
Senator Bill Heath, 31<sup>st</sup>  
Senator Jack Hill, 4<sup>th</sup>, Ex-Officio  
Senator Mitch Seabaugh, 28<sup>th</sup>  
Senator David Shafer, 48<sup>th</sup>  
Senator Cecil Staton, 18<sup>th</sup>, Ex-Officio  
Senator Steve Thompson, 33<sup>rd</sup>  
Senator John Wiles, 37<sup>th</sup>

A meeting of the Senate Finance Committee was held on Monday, April 19, 2010. All committee members were present except Senators Hill, 4<sup>th</sup>, Shafer, 48<sup>th</sup>, and Thompson, 33<sup>rd</sup>.

The meeting was called to order by Chairman Chance, 16<sup>th</sup>, at 4:20 p.m.

**HB 333 (Rep. Knight, 126<sup>th</sup>) Georgia Building Authority; exempt from certain sales and use tax; provisions**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Knight, 126<sup>th</sup>, to speak to the bill. This legislation authorizes that property purchased or used by the Georgia Building Authority will be exempt from sales tax.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Goggans, 7<sup>th</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 35 1659S).**” Senator Golden, 8<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Chance, 16<sup>th</sup>, will carry the bill in the Senate.

**HB 335 (Rep. Knight, 126<sup>th</sup>) Revenue and taxation; comprehensive revision of provisions; provide**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Stephens, 164<sup>th</sup>, to speak to the bill on behalf of Rep. Knight, 126<sup>th</sup>. This legislation authorizes local governments to levy up to a penny sales for cultural and economic development purposes subject to voter approval.

A qualified local cultural organization is a private non-profit arts and cultural organization for the purpose of advancing art, music, theater, dance, history, natural history, animal sciences, or botanical research; it must have be advancing for five years,

is qualified 501(c) (3), is open to the public, provides public financial information or received more than \$300,000 annual gross revenues during the past three years.

The tax rate will be in one-tenth increments up to 1 percent and will apply to motor fuel tax and on food and beverages. The local resolution calling for the referendum must specify the projects with a 15 year duration in counties with local cultural annual gross revenues over \$100 million. This will not apply to the sales tax cap.

Discussion followed and an amendment was proposed and agreed to.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Wiles, 37<sup>th</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 18 9263S).**” Senator Golden, 8<sup>th</sup>, seconded the motion. The motion passed with a 5-2 vote. Senators Heath, 31<sup>st</sup>, and Seabaugh, 28<sup>th</sup>, both voted nay. Senator Wiles, 37<sup>th</sup>, will carry the bill in the Senate.

**HB 991 (Rep. Willard, 49<sup>th</sup>) Sales and use tax; county and municipal; distribution of proceeds; revise**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Willard, 49<sup>th</sup>, to speak to the bill. This legislation revises provisions relating to distribution of proceeds and new distribution certificates.

When renegotiation certificates take place and the parties fail to reach agreement within 60 days (after arbitration and mediation have failed), the party may file a petition in Superior Court to resolve the dispute. The presiding judge must come from another judicial circuit.

The county and qualified municipalities that represent at least one-half of the county municipal population will submit a written final offer as to the distribution of the tax proceeds.

Clint Mueller, ACCG, and Mark Baggett, GMA, both spoke in support of the bill.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Rogers, 21<sup>st</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 18 9260ERS).**” Senator Wiles, 37<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Shafer, 48<sup>th</sup>, will carry the bill in the Senate.

**HB 1005 (Rep. Dempsey, 13<sup>th</sup>) Drivers' licenses; fees for temporary licenses or identification cards; change**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Dempsey, 13<sup>th</sup>, to speak to the bill. This legislation authorizes special license plates to benefit Zoo Atlanta and to allow a decal for “In God We Trust” where the county would be displayed.

In this legislation, the definitions for limousines and taxicabs are updated to be distinguishable; registration is \$25 and a distinctive plate will be issued.

Also, new language is added to provide for temporary permits for drivers who lose coverage of insurance, but requires such termination to be electronically provided quarterly by the insurer to the Department of Insurance.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Heath, 31<sup>st</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 34 2755S).**” Senator Rogers, 21<sup>st</sup>, seconded the motion. The motion passed unanimously. Senator Heath, 31<sup>st</sup>, will carry the bill in the Senate.

### **HB 1013 (Rep. Holt, 112<sup>th</sup>) Sales tax; educational purposes; change provisions**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Holt, 112<sup>th</sup>, to speak to the bill.

This legislation requires local school districts that collect revenue through a sales tax for educational purposes to maintain records and publish annually a report that shows how the revenue is used, estimated costs, and plans for underfunded projects; this notice and publishing requirement currently applies to cities and counties levying a Special Purpose Local Option Sales Tax. Reporting must be made online on the Open Georgia site.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Wiles, 37<sup>th</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 18 9064S).**” Chairman Chance, 16<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Rogers, 21<sup>st</sup>, will carry the bill in the Senate.

### **HB 1082 (Rep. Powell, 171<sup>st</sup>) Ad valorem tax exemptions; freeport exemptions; revise provisions**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Powell, 171<sup>st</sup>, to speak to the bill. This legislation expands Freeport exemptions to all business inventories. It specifies the procedure for persons or businesses to apply and claim a Level 2 Freeport exemption.

The Georgia Retail Association, GMA, and ACCG all support this legislation.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Rogers, 21<sup>st</sup>, made the motion to “**DO PASS.**” Senator Heath, 31<sup>st</sup>, seconded the motion. The motion passed unanimously. Senator Bulloch, 11<sup>th</sup>, will carry the bill in the Senate.

### **HB 1139 (Rep. Mills, 25<sup>th</sup>) Ad valorem tax; notice of changes in taxpayers' returns; change provisions**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Mills, 25<sup>th</sup>, to speak to the bill. This legislation provides an option for taxpayers to elect that tax bills serve as a tax return for the next tax

year. Further, the tax bill must contain a space where the taxpayer may write in the value of that property for the purpose of that return, as elected by the taxpayer.

The tax commissioner must forward the elected tax return within the tax bill on to the local board of tax assessors.

Clint Mueller, ACCG, spoke in support of this bill.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Wiles, 37<sup>th</sup>, made the motion to “**DO PASS.**” Senator Staton, 18<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Rogers, 21<sup>st</sup>, will carry the bill in the Senate.

**HB 1198 (Rep. Manning, 32<sup>nd</sup>) Income tax; taxable nonresident; change definition**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Knight, 126<sup>th</sup>, to speak to the bill since Rep. Manning, 32<sup>nd</sup>, was in another meeting at the time.

This legislation captures certain income for taxation when deferred compensation is realized for domiciles of another state casually conducting business in Georgia. Further, this legislation prohibits a low income credit refund check if the tax liability was zero.

Rep. Kidd, 141<sup>st</sup>, spoke in support of the bill.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Rogers, 21<sup>st</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 18 9262S).**” Senator Seabaugh, 28<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Rogers, 21<sup>st</sup>, will carry the bill in the Senate.

Having no further business, Chairman Chance, 16<sup>th</sup>, adjourned the meeting at 5:30 p.m.

Respectfully submitted,

/s/ Senator Chip Rogers, 21<sup>st</sup>  
Secretary

/s/ Diana Hauser  
Recording Secretary

**Senate Finance Committee**  
**Wednesday, April 21, 2010**  
**8:00 a.m. – Capitol Room 450**

**MEMBERS:** Senator Ronnie Chance, 16<sup>th</sup>, Chairman  
Senator Tommie Williams, 19<sup>th</sup>, Vice Chair  
Senator Chip Rogers, 21<sup>st</sup>, Secretary  
Senator Greg Goggans, 7<sup>th</sup>  
Senator Tim Golden, 8<sup>th</sup>  
Senator Bill Heath, 31<sup>st</sup>  
Senator Jack Hill, 4<sup>th</sup>, Ex-Officio  
Senator Mitch Seabaugh, 28<sup>th</sup>  
Senator David Shafer, 48<sup>th</sup>  
Senator Cecil Staton, 18<sup>th</sup>, Ex-Officio  
Senator Steve Thompson, 33<sup>rd</sup>  
Senator John Wiles, 37<sup>th</sup>

A meeting of the Senate Finance Committee was held on Monday, April 21, 2010. All committee members were present except Senators Golden, 8<sup>th</sup>, Shafer, 48<sup>th</sup>, and Thompson, 33<sup>rd</sup>.

The meeting was called to order by Chairman Chance, 16<sup>th</sup>, at 8:15 a.m.

**HB 1020 (Rep. Parrish, 156<sup>th</sup>) Sales and use tax; county tax for educational purposes; revise**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Parrish, 156<sup>th</sup>, to speak to the bill. HB 1020 would allow local boards of education to impose a special one percent sales and use tax for education. Voters must approve the special tax through a referendum that must be conducted under the same rules and regulations that govern special elections. The referendum legislation is found in HR 1203. The ballot question must state the purpose of the tax and any general obligation debt issued in conjunction with the tax.

There was considerable discussion about this bill. Senators Rogers, 21<sup>st</sup>, Heath, 31<sup>st</sup>, Williams, 19<sup>th</sup>, and Wiles, 37<sup>th</sup>, all voiced their concerns about this bill and the need to approach this issue very carefully. The discussion moved to include the constitutional amendment necessary and, therefore, to HR 1203.

**HR 1203 (Rep. Parrish, 156<sup>th</sup>) Sales and use tax; educational purposes; provide - CA**

Chairman Chance, 16<sup>th</sup>, called upon Rep. Parrish, 156<sup>th</sup>, to speak to HR 1203 in conjunction with HB 1020.

This amendment would authorize revenues for special purpose sales tax for education purposes to be used for maintenance and operations and applicable millage rate rollbacks.

The question will ask:

“Shall the Constitution of Georgia be amended so as to provide that the sales and use tax for educational purposes may be imposed by any school district and may also be imposed in whole or in part for maintenance and operation of public schools with an equivalent millage rate reduction or that proceeds of an existing levy may be pledged as collateral for short-term loans for maintenance and operation purposes in an emergency situation?”

Senator Wiles, 37<sup>th</sup>, asked for an explanation of the above question and no one could fully explain the language.

Chairman Chance, 16<sup>th</sup>, decided to pause the discussion on HB 1020 and HR 1203 to allow the committee to consider HB 982.

**HB 982 (Rep. O’Neal, 146<sup>th</sup>) Revenue and taxation; administrative garnishment; comprehensive revisions**

Chairman Chance, 16<sup>th</sup>, called upon Rep. O’Neal, 146<sup>th</sup>, to speak to the bill which had been tabled at the 3/31/2010 meeting of the Finance Committee. This legislation authorizes the Georgia Department of Revenue (DOR) to administratively garnish delinquent taxes, fees, penalties, interest, and costs due to the state.

Rep. O’Neal, 146<sup>th</sup>, thanked Senator Wiles, 37<sup>th</sup>, for having identified a problem with the original legislation presented on 3/31/2010 to the committee. The substitute presented at this meeting was created along with the help of DOR and Senator Wiles, 37<sup>th</sup>, to correct the problem.

Chairman Chance, 16<sup>th</sup>, asked were there any others who wanted to speak to the bill. Having none, Senator Rogers, 21<sup>st</sup>, made the motion to “**DO PASS BY SUBSTITUTE (LC 18 9261ERS).**” Senator Seabaugh, 28<sup>th</sup>, seconded the motion. The motion passed unanimously. Senator Rogers, 21<sup>st</sup>, will carry the bill in the Senate.

**The discussion of HB 1020 (Rep. Parrish, 156<sup>th</sup>) and HR 1203 (Rep. Parrish, 156<sup>th</sup>) resumed.**

Chairman Chance, 16<sup>th</sup>, stated that he believed that HB 1020 and HR 1203 needed further consideration before a vote could be taken. Senator Rogers, 21<sup>st</sup>, made the motion to “**TABLE**” both **HB 1020 and HR 1203**. Senator Seabaugh, 28<sup>th</sup>, seconded the motion. The motion passed unanimously.

Having no further business, Chairman Chance, 16<sup>th</sup>, adjourned the meeting at 8:50 a.m.

Respectfully submitted,

/s/ Senator Chip Rogers, 21<sup>st</sup>  
Secretary

/s/ Diana Hauser  
Recording Secretary

May 12, 2010

Mr. Bob Ewing  
Secretary of the Senate  
Room 353 State Capitol  
Atlanta, GA 30334

Dear Mr. Ewing:

The following bills are being reported as having no action taken on them by the Senate Finance Committee during the 2010 Legislative Session:

<a href="#"><u>SB 91</u></a>	<a href="#"><u>SB 294</u></a>	<a href="#"><u>SR 2</u></a>	<a href="#"><u>HB 355</u></a>	<a href="#"><u>HR 1203</u></a>
<a href="#"><u>SB 106</u></a>	<a href="#"><u>SB 377</u></a>	<a href="#"><u>SR 179</u></a>	<a href="#"><u>HB 435</u></a>	
<a href="#"><u>SB 116</u></a>	<a href="#"><u>SB 431</u></a>	<a href="#"><u>SR 335</u></a>	<a href="#"><u>HB 480</u></a>	
<a href="#"><u>SB 167</u></a>	<a href="#"><u>SB 444</u></a>	<a href="#"><u>SR 336</u></a>	<a href="#"><u>HB 700</u></a>	
<a href="#"><u>SB 186</u></a>	<a href="#"><u>SB 513</u></a>	<a href="#"><u>SR 427</u></a>	<a href="#"><u>HB 1020</u></a>	
<a href="#"><u>SB 202</u></a>	<a href="#"><u>SB 541</u></a>	<a href="#"><u>SR 939</u></a>	<a href="#"><u>HB 1283</u></a>	
<a href="#"><u>SB 205</u></a>		<a href="#"><u>SR 964</u></a>		
<a href="#"><u>SB 251</u></a>		<a href="#"><u>SR 1507</u></a>		

Sincerely,

/s/ Diana Hauser  
Senate Finance Committee  
Recording Secretary