

**SENATE GOVERNMENT OVERSIGHT ROSTER  
2011 - 2012**

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## **SENATE GOVERNMENT OVERSIGHT COMMITTEE 2011-2012 RULES**

1. Quorum of the committee shall be six (6) members.
2. The Chairman shall determine which cases or investigations shall be heard and the order in which said hearings are to commence.
3. The Chairman shall have the authority to refer cases or investigations to subcommittee for study. Such subcommittees, in turn, shall have the authority to make recommendations on such cases to the full committee.
4. The Committee shall convene, recess, put all questions and adjourn upon order of the Chairman, subject to the rules of the Senate.
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.
6. After adoption, these rules may be amended upon motion duly made, seconded, and subsequently approved by a two-third vote of the members of the Committee.
7. The secretary of the Committee shall distribute a copy of these rules to all members of the Senate Government Oversight Committee.

## SENATE GOVERNMENT OVERSIGHT COMMITTEE

The Senate Government Oversight Committee held a meeting on Thursday, February 10, 2011 in Room 125 Capitol at 9:00 a.m.

The following Senators were present:

Hill of the 32<sup>nd</sup>, Chairman  
Golden of the 8<sup>th</sup>, Vice-Chairman  
Heath of the 31<sup>st</sup>, Secretary  
Jeffares of the 17<sup>th</sup>  
Millar of the 40<sup>th</sup>  
Shafer of the 48<sup>th</sup>  
Seabaugh of the 28<sup>th</sup>  
Seay of the 34<sup>th</sup>  
Unterman of the 45<sup>th</sup>

Note: Senators Gooch of the 51<sup>st</sup> and Ramsey of the 43<sup>rd</sup> were absent.

Chairman Judson Hill called the meeting to order at 9:07 a.m.

Chairman Hill called the committee's attention to the rules of the committee and asked everyone to read over the rules. He then called for a motion for the adoption of the rules. Senator Heath made a motion that the **Rules of the Committee be adopted**. Senator Golden seconded the motion. The **Rules of the Committee** were unanimously adopted.

### **SB 26 (Shafer, 48<sup>th</sup>) Prohibits Additional Limitations on Carrying Firearms during States of Emergency**

Senator Shafer introduced **SB 26** stating that in the event of a natural disaster, public officials cannot use the natural disaster as a reason to seize firearms not prohibited under current law. The language in this bill was also in [SB 291](#), which passed last session but was vetoed by Governor Perdue because of the airport language. Senator Shafer stated that it was not vetoed because of the language that is in this bill.

Senator Seabaugh asked if this bill made any additional requirements for further registration of firearms not otherwise required under the law. Senator Shafer assured him that it did not.

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Senator Heath made a motion that **SB 26 “do pass”**. Senator Golden seconded the motion. **SB 26 passed** by unanimous vote.

Note: Senator Shafer left the meeting.

**SR 55 (Hill, 32<sup>nd</sup>) Health Care Freedom of Choice Constitutional Amendment**

Senator Judson Hill introduced **SR 55** to the committee stating that this constitutional amendment prohibits any law or rule from requiring a person to buy healthcare insurance and affirms a person’s right to buy and sell private health insurance. This bill is similar to legislation which passed last session ([SB 317](#)) except that it is in the form of a constitutional amendment. If passed it would be on the 2012 ballot. Senator Judson Hill went on to state that the reason for this legislation is because a Constitutional Amendment is stronger than a basic law because it has to survive a judicial challenge and would have to be ruled unconstitutional by a judge.

Senator Millar stated that he did not believe any Georgia law would overturn Federal legislation.

Senator Judson Hill stated that it sets up state’s rights and has been introduced in 42 states so far.

Senator Seabaugh made a motion that **SR 55, “do pass”**. Senator Unterman seconded the motion. **SR 55 passed** by a vote of 6-1 with Senator Seay casting a nay vote.

There being no further business, Chairman Judson Hill adjourned the meeting at 9:20a.m.

Respectfully submitted,

/s/ Senator Heath of the 31<sup>st</sup>, Secretary

/s/ Vicki Gibbs, Recording Secretary

## **SENATE GOVERNMENT OVERSIGHT COMMITTEE**

The Senate Government Oversight Committee held a meeting on Thursday, March 3, 2011 in Room 125 Capitol at 3:00 p.m.

The following Senators were present:

Hill of the 32<sup>nd</sup>, Chairman  
Golden of the 8<sup>th</sup>, Vice-Chairman  
Heath of the 31<sup>st</sup>, Secretary  
Gooch of the 51<sup>st</sup>  
Jeffares of the 17<sup>th</sup>  
Millar of the 40<sup>th</sup>  
Seay of the 34<sup>th</sup>

Note: Senators Ramsey of the 43<sup>rd</sup>, Seabaugh of the 28<sup>th</sup>, Shafer of the 48<sup>th</sup> and Unterman of the 45<sup>th</sup> were absent.

Chairman Judson Hill called the meeting to order at 3:07 p.m.

### **SB 97 (Albers, 56<sup>th</sup>) Extension of Tolls by the State Road & Tollway Authority**

Senator Albers introduced **SB 97** to the committee. He stated that his is a bill to change the governance as it relates simply to the toll on Georgia 400. The State Road and Tollway Authority manages the toll today. In September of last year under the direction of Governor Sonny Perdue, the toll for Georgia 400 was extended for another 10 years. The State, Road and Tollway Authority who voted on that were all appointed officials. They voted to impose a couple hundred million dollars tax increase on the people of Georgia. That is a grave concern of mine and the voters in my district and my goal today is to change the process by which it is done. We have liabilities against the road and bonds have been taken out now, so this bill, which he stated he would go through, explains how we can handle that currently as well as moving forward to ultimately protect the public trust. The public trust is paramount, it is much more important than a road, a toll or improvements. With governance, public trust is paramount. Senator Albers stated that he was sure everyone recognizes the need for toll roads and how powerful a tool for our state to build new roads or new lanes on roads, not using tax payers money but the money of those who drive on those roads. Senator Albers stated that Georgia 400 has been paid for many times over. Some of those dollars have been used in other areas of the State which is a direct violation of public trust. Over 20 years ago it was said that this would not be done.

Senator Albers said that he was disappointed that our former administration decided to pass this through in a waning hour and time and now it is time for all of us to correct this injustice. He stated that, in summary, what this bill will do is it will take out the current GA 400 toll. All of the other toll roads and public-private partnerships will have no impact at all and that is not the intent. However, for our one toll that has been in place since January 1, 2011, the 400 toll, they must pay off all the interest that is on the principle of the bond they have already taken out. The State would not be able to take out any additional debt unless they have the approval from SRTA and the Georgia General Assembly. At that time they would have to begin providing reports on the progress to a committee made up of the Speaker, Lt. Governor, and other members of the Senate and House Transportation Committees. The purpose of this is to have proper governance and oversight for the completion of paying off and utilizing the existent money account. The project that is currently being worked on is the interchange between I-85 North and GA 400 which I think we all agree needs to be done. It was part of the original plan 20 years ago and for a variety of reasons was never done. However, before they take out any additional bond money at this time they would be forced to stop, change the process and give the General Assembly the ability to decide whether that moves forward, determine project lists or ultimately tear it down. If the State Road and Tollway Authority does not get the approval from the General Assembly, then once the bonds and interest are paid off they must remove the toll. I want to strike a balance between assuring we can have future toll roads and ability, flexibility, for our State Department of Transportation and Road and Tollway Authority to do what it needs to do while having the proper governance to make sure the Georgia tax payers are protected and decisions are made by those who are elected. Then Senator Albers yielded for questions.

Senator Millar asked when the current toll schedule will end, and Senator Albers answered that it was 10 years. Senator Millar asked if there were no changes then would this would in 2021. Senator Albers stated that was correct, but where they are right now is that they took a bond of 40 million dollars. He stated that a bond that size could be paid off quicker and his purpose was to make it necessary to go back to the General Assembly to get approval before borrowing more money against the toll. Senator Millar asked what the earliest date this could be paid off and Senator Albers replied 3 years, depending on revenues received.

Senator Seay asked what the current dollar amount that we are indebted for totals. Senator Albers replied that the current bonds taken out are 40 million dollars and we had additional overflow money from excess toll road revenue from the year prior. We are actually going to be paying off this summer the last of the remaining bonds of the original GA 400 bonds back to 20 years ago.

However, we have collected so much since that time money has been used for other purposes and because of the bond structure we have used, we have had to pay those off as they came due. That is why the original amount was not paid off early. I believe we have 60 or 70 million dollars in the bank.

Senator Seay then asked Senator Albers if he was aware specifically where funds were spent elsewhere. Senator Albers stated that Ms. Gena Evans from the State Road and Tollway area would have to give the list but they were used for miscellaneous pet projects that were not directly related to GA 400.

Chairman Hill stated that he believed Atlantic Station was among those on the list and Senator Gooch agreed with Senator Millar adding Atlantic Steel under Governor Barnes.

Senator Seay stated that she had gotten a lot of answers but no specifics, and thanked Senator Albers for his reply.

Chairman Hill asked Ms. Gena Evans to go ahead with her response. Ms. Evans stated that the only funds that have been spent outside the GA 400 corridor were back when they were extended for the purchase of the 17<sup>th</sup> street property under Governor Barnes' administration, the total amount being 10.9 million dollars. GDOT has since then returned 1.8 million dollars and then later 1.6 million dollars, leaving us with a total of 8.66 million dollars of money that has been expended outside the corridor. We have in place an excess toll revenue policy passed by the board that basically requires us to spend the money in those conditions set out by the GA 400 projects and there is a definition for what those GA 400 projects are.

Senator Seay asked if the 17<sup>th</sup> Street project was outside of this outline and was that done under the previous Governor and if so in what year?

Ms. Evans replied that she believed this took place in 2001 and 2002. Ms. Evans went on to state that since then the State Road and Tollway Authority has taken measures to make sure that never happens again. That was passed in 2003.

Senator Gooch asked Senator Albers why he decided to only include the GA 400 corridor in his legislation.

Senator Albers replied that there is only one toll in the state and that would be the GA 400 toll and it is important to note that we did, at one point, have another toll with the promise that it would be removed once it was paid and that toll was in fact removed.

Senator Gooch then asked Senator Albers if he understood that the hotlanes that are being built for Interstate 85; the P3 project being built for Interstate 75 and the P3 project being built for 575 would have tolls. Since the bill did not mention those tolls, apparently there were no problems with adding them.

Senator Albers stated that if we are going to build a new lane that is not an existing one that Georgia taxpayers have already paid for and you want to have a public private partnership or put a toll on that, then that makes perfect sense, since the people who drive on it would pay at that time.

Senator Gooch stated that the HOV lanes on I-85 are being converted into hotlanes and that is existing roadway.

Senator Albers stated that he disagreed with that statement.

Senator Gooch stated that it was true and being done as we speak and again wondered why Senator Albers had not applied this bill to that project.

Senator Albers replied that he was not aware of any toll that existed on January 1, 2011, other than the GA 400 toll. The goal of this legislation is not to impact any future projects. He stated that he was aware that the State Road and Tollway Authority had expressed concern with the legislation and the affect on future projects. He stated when he wrote this legislation that we would be focused on making sure this did not affect future projects.

Senator Gooch stated in his opinion that we cannot move fast enough to get these projects going. If we are not out there this year building that interchange, shame on us. He stated we need to move fast. If we do not use this toll revenue for that project it might not happen for another 20 years. This is the only source of dedicated revenue that we have that the DOT and SRTA has to make these improvements quick not only for the 85-400 interchange, but also we are going to an interchange up closer to where Senator Albers lives. We are going to get the three lanes on McFarland extended immediately so I think engineering work is already under way. RFP's are being put out to get this work done. This is too important for people who live in Fulton, Forsyth, Dalton, and White Counties, which is most of my district. I am in favor of making these improvements. Senator Gooch stated that he was not saying that Senator Albers was against making these improvements, but some of these projects will never, in our career or in our lifetime, be finished if we do not have access to funds like this.



He was concerned that trying to get the Senate and House to approve a toll on a section of the State in 5, 10 or 15 years down the road would be very difficult. Why would any Senator from a Southern part of the State put a toll on a road in North Georgia or for that matter any Senator from North Georgia vote to put a toll in South Georgia? It can be a very political and divisive issue, so I am concerned about us making such sweeping decisions. That is why these authorities were made by our laws for this decision making purpose. People before us decided to create SRTA so we could hire experts like Ms. Evans or the DOT boards to make decisions on our behalf and we are represented by those people and those boards. We represent the people in our district and if the people in our district do not like what is going on down here they can call us and then we have an obligation to our board members at DOT to say we do not like this and ask them to vote no.

Senator Gooch went on to say that when he was on the board of the DOT not one person in the House or Senate asked him to vote against the GA 400 toll. He said that, in fact, everyone told him to vote for it, they were in favor of it. He stated that Senator Albers' district may be a completely different scenario and may have been against it. Senator Gooch said that people in his district are for it and think that the users should pay for it. Senator Gooch went on to say that he had a hard time voting for any bill that specifies one particular project, especially one that is going to benefit people in my district. If I vote against this bill it will be because I do not believe this is good policy.

Senator Albers stated that he believed that he and Senator Gooch were passing one another in the night. He stated that this bill would not affect future tolls but would affect one specific toll in Georgia. Senator Albers said that it would be unfair if we count up all the roads in Georgia to say that we should only toll one because that would be dedicated social revenue on that one toll and those people that get stuck in that corridor would have to pay for their road. It is simply wrong and again speaks of public trust. Public trust is so much more important. An example of public trust can be back on November 2, 2010, we had several ballot initiatives. The third referendum question was to change the accounting practices of our Department of Transportation. One could argue that it was not worded well but that vote failed by 4,500 votes statewide. Now we were not going to raise people's taxes, all we were going to do was have the DOT have typical business accounting practices basically using the accrual process which most of us are familiar with. Senator Albers stated that he believed that vote failed because people do not trust our Government, especially how we have dealt with transportation in the past. This legislation would be a great way

to show the people that we can actually follow through with our promises. If we want to do public-private partnerships, then we are going to put it under the proper governance moving forward and we are not going to affect the future, but we are going to take care of things for today.

Senator Gooch asked Senator Albers again if this was to be a one time deal for GA 400.

Senator Albers said that what this legislation covers is just GA 400. Before any more indebtedness is taken out, any bonds would have to be brought before the General Assembly. You may come back, or the DOT or SRTA may come back, and say that we want to extend for 20 years and we need 400 million dollars for improvements. The difference is we will have elected representatives that will have to approve that.

Chairman Hill asked Senator Albers to go over the process that this legislation lays out for paying off the existing obligation and removing the toll.

Senator Albers stated that once this is passed and put into law, the State Road and Tollway Authority will continue as they are today to collect tolls and as they pay off the bonds they will make regular updates to the committee that is outlined in lines 21 and 22 as to the progress for paying off the debt and the interest that goes with those bonds. Once they are paid for or prior to paid for the State Road and Tollway Authority will have the option of coming and bringing a plan. That plan would have to pass the General Assembly to approve whether they want to extend and/or take out more bonds on that toll. If the General Assembly does not approve, by this law they will have to remove that toll once those interest payments are paid. If the legislature does not pass any future indebtedness then they would have to remove the toll.

Senator Heath stated that he lived in Harrelson County, which is where I-20 goes into Alabama. I have been trying to figure out how many times I have used the toll on GA 400 in my lifetime and I can not come up with more than about 15 times. Now I am trying to understand why the people in my district should pay to maintain a road for the affluent residents in North Atlanta. I think generally speaking if you look at the median income of the folks who use GA 400 it will exceed the median income of the folks in Georgia by a pretty large margin. Help me to explain to the folks in Harrelson County why their taxes should increase to benefit those individuals in North Atlanta.

Senator Albers stated that he believed that Senator Heath could sell this to his constituents by saying there was an injustice done and by the fact that people in North Fulton help to pay for their roads and there are no tolls on those roads.

Senator Albers said that he believes Senator Heath's constituents probably think public trust is important and as good conservatives we should not engage in means testing and that sounds like means testing.

Senator Heath asked Senator Albers if he understood that folks in Haralson County do not use GA 400 or at least the part where there is a toll. He further noted that Senator Albers referred to the vote that SRTA took at the end of the Perdue administration as a tax increase. Senator Heath stated that he was having a difficult time understanding what the definition of increase is because the price of the toll did not go up and there was not a toll put in place that was not already there.

Senator Albers said that the toll was supposed to end the summer of 2011 and the toll would have been removed instead of going back to 50 cents.

Senator Heath asked if Senator Albers believed that people using GA 400 drive there by choice. Are there other possible routes that a driver could take? Senator Albers replied that there are always other routes that one can take.

Senator Heath then suggested that the notion of a user tax where people don't use something are not taxed while those who use it pay the fee because this is a convenience to them.

Senator Albers stated that he did not believe that having a road is a convenience. Roads are put there by tax payer money as part of our responsibility to provide for infrastructure. Senator Albers said that he would drop this legislation if there was an agreement to put about 30 more tolls throughout the state on major roads. That would be fair and consistent.

Senator Millar stated that he believed the issue is the problem with the way this was done. If it was not for the news media, the people would not have known this toll was being continued. In the public's mind, this was supposed to be over so when Senator Albers talks about the trust element, that is one thing. Senator Millar said that he believed in user fees but the way that this was handled was not good. What was supposed to be paid for by the toll has been paid for. If there is another section of the road to be worked on, put another toll there. The issue is the fact of the way that this was handled then you are going to have difficulty convincing people to vote for other transportation projects in the future.

Chairman Hill agreed, stating that is the reason he signed onto the legislation.

Senator Gooch stated that he did not disagree with anything that had been said about trust. Serving on the DOT board, many of us did not like it either but were told that it had to be done. It was discussed for several months. It was not a last minute thing. Now the damage is done, the horse is out of the barn and I really appreciated the passion on this issue. Senator Gooch said that in 2 weeks the work on GA 400 and Interstate 85 was going to begin. This would create a better merge system that is not going to entirely fix the traffic issues but it is going to help greatly. If we are to improve these roads, more lanes must be built, and to do that more funding is going to be needed. The motor fuel money is dried up. Transportation is a huge problem in this state. At this point we cannot shut down the projects on GA 400. We need this revenue.

Senator Albers replied that two wrongs do not make a right and if there is to be TSPLOST in the future we must build the public trust now instead of instilling a skeptical tax base.

Senator Heath stated that he sees the issue as a very affluent neighborhood that is complaining about a 50 cent toll, even with a million ways to get from Alpharetta to Atlanta. This is all about convenience for an affluent part of the State. 50 cents will not even buy a soft drink anymore but they get road improvements. This bill sounds like a political sweetheart deal and the more that is said, the more it stinks.

Senator Albers replied that he disagrees. He stated that the people of that area have paid a lot of money to maintain that road and to marginalize one group of our state because of their income is means testing and that is wrong.

Senator Heath stated that Senator Albers had talked about people in his district paying for roads for the people in Senator Heath's district. Senator Heath asked Senator Albers to explain how DOT got their money.

Senator Albers said that it came from a fuel tax.

Senator Heath said that his people, who are driving a 1967 pickup truck that gets about 8 miles to the gallon and your people who are driving a 2010 BMW which gets far more miles to the gallon, are paying fuel tax for their roads at a greater rate.

Senator Albers stated that they should buy a Prius.

Senator Heath said that they cannot afford one. I am in agreement with you that your people are paying for our roads, but what I am saying is that my people are paying for your roads as well. GA 400 was built to satisfy a convenience and costs a lot to maintain.

Senator Albers said that he was sure that Senator Heath would have to agree to disagree but the people in that corridor have given so much to all parts of Georgia that everyone has benefitted from them. This amounts to a 250 million dollar tax increase and hurts public trust and this is unacceptable.

Senator Seay asked Senator Albers when this toll was to have ended. He stated July of 2011.

Senator Seay stated that when she goes that way she takes I-285 to avoid the toll so there are other options.

Senator Gooch stated that he did not want to be an alarmist but that the worst thing that can be done as a State is to send out a message that we are anti-toll.

Chairman Hill asked Ms. Gena Evans, Executive Director, State Road and Tollway Authority to give her comments.

Ms. Evans began by saying that she wanted to discuss a couple of things. The bond is only for seven years not ten and because of some interest savings, we have been able to reduce the size of the bond so the payback will be 7 years. Also, Senator Albers, starting with line 14, we have concerns with public private partnerships. Our fear is that any future toll would have to receive General Assembly approval, and as Senator Gooch pointed out, when we are talking about the Northwest Corridor, it could be hard to get the approval of the General Assembly. It is a big concern to us and a big concern to the P3 builders. We also are concerned about whether this could affect any active contracts and this reference on lines 16 through 22 to interest, we basically have 40 billion dollars in outstanding bonds and what this basically says if we only paid the interest that would leave the principle outstanding and it does not work that way. This could end up having a serious affect on our bond rating.

Another point is the public trust. I can assure you that there were appointees on that board that represented the Senate and the House, so it was not just Governor's appointees voting on this. As far as the public trust issue goes, I personally talked to every Mayor, City Council member, Representative and

Senator in the corridor, and I literally walked them through the same presentation that I walked through with the Governor and the board so they were actively engaged. I have a list of the meetings that I held during this period. Since December we have had 5 public hearings on this issue and we have only had 97 attendees and only 5 complaints. We have heard more outcries from the General Assembly than from anywhere else. Senator Albers claimed that we could do this for several hundred million dollars more and I am telling you that is just not possible with the number of funds we have coming in on an annual basis.

We only have about 30 million dollars more in bonding capacity. This is not something we could go forward with hundreds of millions of dollars.

Chairman Hill recognized Senator Albers to close the discussion.

Senator Albers stated that there could be hundreds of millions of dollars taken out because the 30 million dollars keeps getting taken out over and over again and you can make that math work very quickly. Senator Albers went on to say that he appreciated Senator Gooch's comments but this is not about future toll roads. Senator Albers suggested that the word principle be inserted on line 13. He said that the vast majority of his constituents have said that they would not spend one penny to improve roads now because of broken promises. Senator Albers said that we as a Government body must maintain public trust if we want to get the better bang for our buck in the future.

Chairman Hill recognized Ms. Evans.

Ms. Evans stated that under this legislation on line 13, refers to the entire section of the CERTA statute so it does refer to every toll not just GA 400.

Senator Albers said that he would be agreeable to striking the words "with the establishment of this article."

Senator Golden made a motion to "**TABLE SB 97**". Senator Seay seconded the motion. **SB 97 was tabled by unanimous vote.**

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There being no further business, Chairman Hill adjourned the meeting at 4:35 p.m.

Respectfully submitted,

/s/ Senator Heath of the 31<sup>st</sup>, Secretary

/s/ Vicki Gibbs, Recording Secretary

## SENATE GOVERNMENT OVERSIGHT COMMITTEE

The Senate Government Oversight Committee held a meeting on Thursday, March 10, 2011 in Room 123 Capitol at 3:00 p.m.

The following Senators were present:

Hill of the 32<sup>nd</sup>, Chairman  
Golden of the 8<sup>th</sup>, Vice-Chairman  
Gooch of the 51<sup>st</sup>  
Jeffares of the 17<sup>th</sup>  
Millar of the 40<sup>th</sup>  
Ramsey of the 43<sup>rd</sup>  
Seay of the 34<sup>th</sup>

Note: Senators Heath of the 31<sup>st</sup>, Shafer of the 48<sup>th</sup>, Seabaugh of the 28<sup>th</sup> and Unterman of the 45<sup>th</sup> were absent.

Chairman Judson Hill called the meeting to order at 3:13 p.m.

### **SB 141 (Jones, 10<sup>th</sup>)      Martin Luther King, Jr. Advisory Council; create**

Senator Jones of the 10<sup>th</sup> presented **SB 141** advising the committee that this is very simple legislation. He stated that he first went to the Governor with this bill and incorporated the Governor's suggestions. SB 141 establishes a MLK Jr. Oversight Commission within the Department of Community Affairs. On page one of the bill it speaks to the number of people to serve on the commission. On page two it says the members of this commission will serve without compensation; monies are received from voluntary donations. The Governor wanted to make sure that no State funds were used for this advisory council, and the language inserted makes sure that is the case. The bill moves the responsibility of organizing the MLK event from the Governor's office over to the Department of Community Affairs. On Line 52 within the Department of Community Affairs it provides for the establishment of a not-for-profit corporation for the purpose of furthering the commission's studies and for the purpose of DCA to do that so that no State funds are used on the advisory council.

Chairman Judson Hill asked if this established an advisory council, a commission or an oversight committee? All these were referred to in the explanation of the bill.

Senator Jones, 10<sup>th</sup>, stated that this bill allows for the DCA to set up a council and it will be known as the MLK advisory council. This council is to be composed of nine members as follows: The Commissioner of DCA; Six Senate members to be appointed by the Governor, two of whom must be between the ages of 18 and 22 years; one member to be appointed by the President of the Senate; and one



member to be appointed by the Speaker of the House of Representatives. Members must serve four year terms, without compensation; however, to the extent monies received from voluntary contributions through a not-for-profit corporation, created by DCA, members are eligible to receive reimbursement for mileage and other expenses actually incurred in the performance of their duties.

Chairman Judson Hill suggested that the word “commission” be changed to “council” on line 3. The committee unanimously agreed.

Senator Millar asked if the Governor wanted to abolish the commission and Senator Jones stated yes, that the commission is currently under the purview of the Governor’s office. Senator Millar then asked if it was legal to have a not-for-profit under the DCA, and Senator Judson Hill replied that the Commissioner had advised him yes, they have some under their department.

Pam Davidson, lobbyist for Georgia Community Action, spoke in support of the legislation.

Susan Stanton, member of the Georgia Tea Party, spoke in opposition to the bill stating that while it is a worthy cause, it is not a proper role of Government. It is a function of a civic organization. If the sponsors of this bill truly believe in this cause they should donate their own money to see its duties carried out. She urged the committee to vote no on the legislation.

NOTE: Senator Seabaugh entered the meeting.

Senator Seay made a motion that **SB 141 “do pass by substitute”**. Senator Ramsey seconded the motion. [SB 141](#) passed by unanimous vote.

NOTE: Senator Jeffares left the meeting.

### [SB 223](#) (Ligon, 3<sup>rd</sup>) **Georgia Government Accountability Act; establish**

Senator Ligon stated that **SB 223** is called the Georgia Government Accountability Act. It creates a joint Legislative Sunset Advisory Committee to be composed of seven members of the House of Representatives appointed by the Speaker of the House and seven members of the Senate Government Oversight Committee to be appointed by the chairperson of the committee. The Co-

Chairpersons may appoint two ex-officio members. The Committee may review all State agencies, including all boards, departments, advisory committees, authorities, bureaus, offices and any other State entity of the executive branch of State Government regardless of its designation. An agency scheduled to be reviewed must provide a report to the Committee outlining its efficiency and productivity; the Committee must review the agency and complete a report indicating whether a public need exists for the continuation of the agency. The Committee may recommend abolishing the agency; however, the General Assembly must find by joint resolution that the State laws which the agency is responsible for have been revised or reassigned to another agency. Any agency established by constitutional provision is not subject to automatic abolishment. Any board, commission, advisory council, or similar body included in the term "agency" which has not held an open public meeting for a period of more than 12 months is considered automatically abolished without the need for further agency review.

Those speaking in support of SB 223 were Virginia Galloway, Americans for Prosperity in Georgia; Dr. Bill Hudson, Georgia Tea Party; Joyce Schumacher, Georgia Tea Party; Maria Zack and Michael Williams, Georgia Tea Party.

There were no speakers in opposition to the legislation.

NOTE: During Senator Ligon's presentation, Senator Ramsey left the meeting, Senator Jeffares returned to the meeting and Senator Heath came into the meeting.

Senator Golden made the motion that **SB 223 "do pass by substitute"**. Senator Heath seconded the motion. [SB 223](#) passed by unanimous vote.

There being no further business, Chairman Hill adjourned the meeting at 4:38 p.m.

Respectfully submitted,

/s/ Senator Heath of the 31<sup>st</sup>, Secretary

/s/ Vicki Gibbs, Recording Secretary

June 1, 2011

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

Dear Mr. Ewing:

The following bills remained in the Government Oversight Committee at the close of the 2011 session:

[SB 97](#)  
[SB 106](#)

Respectfully submitted,

/s/ Vicki Gibbs  
Recording Secretary