Members of the Senate Committee on State and Local Governmental Operations 2015 Legislative Session

Senator John Albers, Chairman District 56 1076 Canton Street Roswell, GA, 30075

Senator Greg Kirk, Vice-Chairman District 13 P.O. Box 6085 Americus, GA 31709

Senator Michael Williams, Secretary District 27 3482 Keith Bridge Rd Ste 310 Cumming, GA 30041

Senator Gloria Butler District 55 6241 Southland Trace Stone Mountain, GA 30087

Senator Marty Harbin District 16 130 Ellison Road Tyrone, GA 30290

Senator P.K. Martin IV District 9 455 Pine Forest Dr Lawrenceville, GA 30046

Senator Horacena Tate District 38 121-A State Capitol Atlanta, GA 30334

Senate Committee on State and Local Governmental Operations Wednesday, February 4, 2015 Mezzanine 1 State Capitol

Sen. Albers (56th) called the meeting to order at 4:04 p.m. The following members were in attendance:

Sen. John Albers (56th), Chairman

Sen. Greg Kirk (13th), Vice-Chairman

Sen. Michael Williams (27th), Secretary

Sen. Gloria Butler (55th)

Sen. Marty Harbin (16th)

Sen. P. K. Martin, IV (9th)

Sen. Horacena Tate (38th)

This was the first meeting of the Senate Committee on State and Local Governmental Operations of the 2015 Legislative Session. Sen. Albers (56th) introduced himself and welcomed committee members, staff, and guests. Sen. Albers (56th) asked Sen. Kirk (13th) to open the meeting with a prayer.

The meeting began with discussion and adoption of the Committee Rules for the 2015 Legislative Session. Sen. Kirk (13th) moved to adopt the Committee Rules and Sen. Butler (55th) seconded the motion. The motion passed unanimously. A copy of the Rules is attached.

There being no further business, Sen. Albers (56th) adjourned the meeting at 4:09 p.m.

Respectfully submitted,

/s/ Sen. Michael Williams (27th), Secretary

RULES

Senate Committee on State and Local Governmental Operations 2015 Legislative Session

- 1. Quorum of the Committee shall be four (4) 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 Committee will not hear a bill unless the Chairman receives a written request for a hearing from the author of the bill.
- 4. 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.
- 5. The Committee shall convene, recess, put forward questions and adjourn upon order of the Chairman, subject to the Rules of the Senate.
- 6. Any member or members of the Committee who disagree with the majority report of the Committee shall be privileged to file a minority report.
- 7. If a Committee member moves on a House bill without a Senate sponsor, that Committee member becomes the sponsor of the bill.
- 8. After adoption, these rules may be amended upon motion duly made, seconded, and subsequently approved by a two-thirds vote of the members of the Committee.
- 9. The Secretary of the Committee shall distribute a copy of these rules to all members of the Senate State and Local Governmental Operations Committee.
- 10. Where these rules are silent on a specific issue, the Rules of the Senate, as adopted, shall govern.

Senate Committee on State and Local Governmental Operations Wednesday, February 11, 2015 Mezzanine 1 State Capitol

Sen. Albers (56th) called the meeting to order at 4:02 p.m. The following members were in attendance:

Sen. John Albers (56th), Chairman

Sen. Greg Kirk (13th), Vice-Chairman

Sen. Michael Williams (27th), Secretary

Sen. Gloria Butler (55th)

Sen. Marty Harbin (16th)

Sen. P. K. Martin, IV (9th)

Sen. Horacena Tate (38th)

Sen. Harbin (16th) opened the meeting with a prayer. Chairman Albers (56th) requested that Sen. David Lucas, Sr. (26th) speak on behalf of SB 11.

SB 11 (Sen. Lucas, 26th, LC 21 3548) Payne City; abolish; provide for disposition of the assets, property, and legal rights

Sen. Lucas, Sr. (26th) said that the bill was a local bill being passed as a general bill. He proceeded to explain the bill, which repeals the Charter for Payne City. Sen. Albers (56th) commented that Sen. Jones from Bibb County also agrees with the bill. Sen. Lucas, Sr. (26th) confirmed that all Senators from the area were in agreement. Sen. Albers (56th) asked if anyone wished to speak for or against the bill, and seeing none, he asked for any motions.

Sen. Butler (55th) made a motion **Do Pass** and Sen. Harbin (16th) seconded the motion. The motion passed unanimously.

SB 11 DO PASS

There being no further business, Sen. Albers (56th) adjourned the meeting at 4:08 p.m.

Respectfully submitted,

/s/ Sen. Michael Williams (27th), Secretary

Senate Committee on State and Local Governmental Operations Wednesday, March 4, 2015 Mezzanine 1 State Capitol

Sen. Albers (56th) called the meeting to order at 4:02 p.m. The following members were in attendance:

Sen. John Albers (56th), Chairman

Sen. Greg Kirk (13th), Vice-Chairman

Sen. Michael Williams (27th), Secretary

Sen. Gloria Butler (55th)

Sen. Marty Harbin (16th)

Sen. P. K. Martin, IV (9th)

NOTE: Sen. Horacena Tate (38th) was absent.

This was the third meeting of the Senate State and Local Governmental Operations Committee of the 2015 Legislative Session. Sen. Albers (56th) welcomed Committee members, staff, and guests, then asked Sen. Martin (9th) to open the meeting with a prayer.

<u>HB 73</u> (Rep. Turner, 21st, LC 28 7301) Public officers; counties and municipalities provide by local law for district durational residency requirements; authorize

Rep. Scot Turner (21st), the author of HB 73, spoke on its behalf.

Sen. Butler (55^{th}) made a motion **Do Pass** and Sen. Martin (9^{th}) seconded the motion. The motion passed by a vote of 3-0.

HB 73 DO PASS

<u>HB 95</u> (Rep. Tanner, 9th, LC 34 4394ER) Local government investment pool; trust fund managed by state treasurer; provide

Rep. Kevin Tanner (9th), the author of HB 95, spoke on its behalf. Rep. Tanner (9th) said the bill provides the state treasurer with the option of placing state funds in a separate trust fund to be administered by the state treasurer pursuant to polices established by the state depository board.

Sen. Williams (27th) made a motion **Do Pass** and was seconded by Sen. Harbin (16th). The motion passed unanimously 4-0.

HB 95 DO PASS

SB 189 (Sen. James, 35th, LC 28 7554) South Fulton, City of; incorporate; provide for a charter

Sen. Albers announced that he would be speaking on behalf of SB 189, as he is a cosponsor, and Sen. Donzella James (35th) was unable to attend the meeting. Sen. Albers (56th) clarified that the bill does not create the city of South Fulton, but it does allow South Fulton to vote on the issue. Sen. Martin (9th) asked if it is correct that the new city would not have to have a police force, but could actually contract out. Sen. Albers (56th) confirmed this, and asked if there were any further questions. Sen. Williams (27th) asked what the millage rate was capped at. Rep. LaDawn Jones (62nd) said the millage rate was capped at .1 mill above its current amount. She said additional revenue will help set up the facilities of the new city. Sen. Williams (27th) asked if there had been a Carl Vinson Institute (University of Georgia) Feasibility Study. Rep. Jones (62nd) confirmed this. Sen. Albers (56th) said he would then call names from the sign-up sheet listing those requesting to speak. Aaron Johnson testified that representation of the area is complicated, and becoming a city would allow for simpler representation. Secondly, he cited a financial concern. Alvin Reynolds said the residents of South Fulton would like the opportunity to vote on their future well-being. Rasheen Hunter, Damita Chatman, Gladstone Nicholson, and Helen Willis then testified in support of the bill. Sen. Williams (27th) asked where the funds came from for the institute study. Mrs. Willis replied that it was paid for by funds raised through South Fulton United. Bryant Tate and Rafer Johnson then testified on behalf of the bill. Sen. Williams (27th) asked how many people were on the Board of Commissioners. Mr. Johnson replied that there were seven. Sen. Williams (27th) asked how many represent South Fulton. Mr. Johnson replied that one representative lives in South Fulton, but a different representative represents South Fulton. He clarified that there is no exclusive representative for unincorporated Fulton, but it was more or less two representatives out of the total seven. Sen. Harbin (16th) asked how close the boundaries of the city would come to Camp Creek. Mr. Johnson explained that it would come right up to, but not over the boundary of Camp Creek. Next, Deborah Bazemore testified in support of the bill. She said she was the Chair for South Fulton United. She said that in order to run for office, a candidate must live in South Fulton for at least one year, which ensures candidates have a vested interest in the area. Sen. Williams (27th) asked if the county was the only avenue of representation for South Fulton, and whether it was correct that only two out of seven represent South Fulton on the Board of Commissioners. Ms. Bazemore confirmed both these concerns. Sen. Albers (56th) asked if there were any more questions, and hearing none, asked for any motions.

SB 189 HEARING ONLY

<u>SB 186</u> (Sen. Heath, 31st, LC 34 4495) Counties, Municipalities, Other Entities; provide for electronic publication for certain public notices; procedures, conditions, and limitations

Sen. Albers (56th) asked Sen. Heath (31st) and Todd Edwards of the Association of County Commissioners of Georgia (ACCG) to speak on behalf of SB 186. Sen. Heath (31st) provided the Committee with documents on counties that support the bill, and with projected savings through the bill. Sen. Heath (31st) said that the bill provides the option to local governments of publishing required notices online. He said the bill sets forth a method for publishing these notices, and guidelines to ensure easy access by the general public. He said that the data shows an average potential savings of \$900 a year per

county. Sen. Heath (31st) added that not all legal organs have online access, and this bill would save money, but it is not a mandate. He continued that the bill is just an option that counties could either opt in or out of. He asked Todd Edwards if he had anything to add. Mr. Edwards said that there are many safeguards within the bill to maintain transparency and accountability. He said that there are provisions to mail or email notices to anyone who signs up for this option. Local governments would have to advertise once a month for 12 months if they wish to pursue this avenue, and they would have to write into their official code. He added that Constitutional Law Officers have the option to do whatever they want. He argued that this bill increases transparency and decreases unnecessary costs. Sen. Albers (56th) asked if there were any questions. Sen. Kirk (13th) asked if everyone would be able to access the notices, and added that it could make search engine searches confusing, with many local governments advertising their official notices. Mr. Edwards said that links to official websites could be found through the local government's official website. Sen. Kirk (13th) asked if this would not be an extra burden on the elderly. Sen Heath (31st) replied that the county could take requests for mailed notices over the phone. Sen. Kirk (13th) said that he could not support SB 186 unless it said 'current legal organ and online'. Sen. Heath (31st) said the language is permissive and does not prohibit printing the notices in the current legal organ. Sen. Martin (9th) expressed his concern that information would be more difficult to find, and asked if there could be a single place to access notices. Sen. Heath (31st) said that all notices for a county could be found on the county website. Sen. Martin (9th) asked if the regular deadlines would still be followed. He also expressed his concern that eliminating the legal organ would eliminate third-party accountability. Sen. Butler (55th) voiced similar concerns to her fellow Committee members.

NOTE: Sen. Martin (9th) left the meeting.

Mr. Edwards commented that electronic documents would still have to be filed with the clerk. Sen. Kirk (13th) replied that that would not constitute third-party review. Robert Williams of Southfire Newspapers in Blackshear, GA testified against the bill. Mr. Williams said local areas depend on newspapers to communicate government notices in a clear and timely manner. He expressed concerns that public notices could appear in multiple locations instead of one easily accessed location, that local government websites can be hacked, and that online maintenance would be costly. Sen. Albers (56th) asked if Sen. Heath (31st) would like to make a closing argument. Sen. Heath (31st) said the bill could be amended to require third-party review. He added that notices could easily be consolidated in one link on the local government's webpage, and would be much easier accessed than a printed notice through a paper that must be purchased. He continued that counties have to pay newspapers to print notices, which their residents then have to buy, which constitutes an unnecessary cost not only to counties, but to residents as well. Finally, he asked Mr. Williams how he accessed the content of SB 186. (Contents of Senate bills can be found on the General Assembly webpage). Sen. Albers (56th) asked if there were any additional questions, and hearing none, he asked for motions.

Sen. Williams (27th) made a motion **Do Pass** and Sen. Harbin (16th) seconded the motion. The vote was 2-2. Sen. Albers (56th) broke the tie by voting in favor of the motion. The

motion passed with a vote of 3-2. Sen. Williams (27th), Sen. Harbin (16th), Sen. Albers (56th) all voting yay, with Sen. Butler (55th) and Sen. Kirk (13th) voting nay.

SB 186 DO PASS

There being no further business, Sen. Albers (56th) adjourned the meeting at 5:48 p.m.

Respectfully submitted,

/s/ Sen. Michael Williams (27th), Secretary

Senate Committee on State and Local Governmental Operations Wednesday, March 18, 2015 Mezzanine 1 of the State Capitol

Sen. Albers (56th) called the meeting to order at 4:06 p.m. The following members were present:

Sen. John Albers (56th), Chairman

Sen. Greg Kirk (13th), Vice-Chairman

Sen. Michael Williams (27th), Secretary

Sen. Gloria Butler (55th)

Sen. Marty Harbin (16th)

Sen. P. K. Martin, IV (9th)

Sen. Horacena Tate (38th) (Arrived at 4:12 p.m.)

<u>HB 477</u> (Rep. Jones, 47th, LC 39 1005S) Abandoned public road property; notice and right to acquire when located within a subdivision; provide

Rep. Jan Jones (47th), House Pro-Tem and the author of HB 477, presented the bill to the Committee and offered substitute **LC 28 7633S**. Austin Hackney of the Georgia Homebuilders Association spoke in support of the bill. No opposition was present.

NOTE: Sen. Horacena Tate (38th) arrived 4:12 p.m.

Sen. Martin (9th) moved to adopt an amendment, adding language "a roadway provision" to Sec. II, Line 20. Sen. Harbin (16th) seconded the motion.

Sen. Kirk (13th) made a motion **Do Pass by Substitute (LC 28 7633S)**. Sen. Martin (9th) seconded the motion. The motion passed unanimously (6-0).

HB 477 DO PASS BY SUBSTITUTE (LC 28 7633S)

<u>HB 554</u> (Rep. Rutledge, 109th, LC 28 7573ER) Henry County; Board of Commissioners; authority, roles, and responsibilities of chairperson, board of commissioners and county manager; define

Rep. Dale Rutledge (109th), the author of HB 554, presented the bill to the Committee. Rep. Andy Welch (110th) spoke in support of the bill.

Sen. Williams (27th) made a motion **Do Pass**. Sen. Harbin (16th) seconded the motion. The motion passed unanimously (6-0).

HB 554 DO PASS

<u>HB 527</u> (Rep. Willard, 51st, LC 40 0887S) Counties; Provide Budget for Population of 200,000 or More; Repeal Act

Rep. Wendell Willard (51st), the author of HB 527, spoke for the bill. HB 527 is a repeal act for a population bill passed in 1953. Currently working with Fulton County and Fulton County Courts to provide a memorandum of understanding of the old bill and repeal act. Sen. Albers (56th) would like to wait on an update from memorandum for further consideration of HB 527.

HB 527 HEARING ONLY

<u>HB 551</u> (Rep. Brockway, 102nd, LC 36 2779S) Public officers and employees; authorize political subdivisions to provide for voluntary contributions by employees through payroll deductions to certain not for profit organizations; provisions

Rep. Buzz Brockway (102nd), the author of HB 551, presented the bill to the Committee. No support or opposition was present.

Sen. Williams (27th) made a motion **Do Pass**. Sen. Harbin (16th) seconded the motion. The motion passed unanimously (6-0).

HB 551 DO PASS

<u>HB 174</u> (Rep. Jones, 62nd, LC 21 3662S) Urban Redevelopment Law; include blighted areas; provisions

Rep. LaDawn Jones (62nd), the author of HB 174, presented the bill to the Committee. Tom Gehl of the Georgia Municipal Association spoke in support of the bill. No opposition was present.

Sen. Kirk (13th) made a motion **Do Pass**. Sen. Butler (55th) seconded the motion. The motion passed unanimously (6-0).

HB 174 DO PASS

With no further business, Sen. Albers adjourned the meeting at 4:31 p.m.

Respectfully submitted,

/s/ Sen. Michael Williams (27th), Secretary

Senate Committee on State and Local Governmental Operations Thursday, March 19, 2015 Mezzanine 1 in the State Capitol

Sen. Albers (56th) called the meeting to order at 4:08 p.m. The following members were present:

Sen. John Albers (56th), Chairman

Sen. Greg Kirk (13th), Vice-Chairman

Sen. Michael Williams (27th), Secretary

Sen. Gloria Butler (55th) (Arrived late)

Sen. P. K Martin, IV (9th)

Sen. Horacena Tate (38th)

NOTE: Sen. Marty Harbin (16th) was absent.

HB 520 (Rep. Taylor, 79th) LaVista Hills, City of; DeKalb County; incorporate

Sen. Millar (40th), the Senate sponsor, presented the House Committee substitute of HB 520 to the Committee. Sen. Albers (56th), requested that other members of the House or Senate give testimony. Sen. Parent (42nd) proposed HB 520 to the Committee. Rep. Beth Beskin (54th), raised concern over city boundary annexations in regards to charter and public schools. Sen. Albers (56th) requested that members of the public speak. Sen. Henson (41st) withdrew an earlier amendment in support of a map of LaVista Hills, as passed in the House. Other members of the public spoke in support of LaVista Park. Stacy Abrams of the Laurel Ridge/Shamrock Initiative and Anne Lewis of Tucker 2015 spoke against Sen. Parent's (42nd) AM 28 1400..

Sen. Kirk (13th) made a motion to adopt an amendment (AM 28 1400). Sen. Martin (9th) seconded the motion. The motion passed.

Sen. Kirk (13th) made a motion to adopt an amendment. Sen. Williams (27th) seconded the motion. The motion passed.

Sen. Kirk (13th) made a motion **Do Pass by Substitute (LC 28 7637ERS)**. Sen. Martin (9th) seconded the motion. The motion passed unanimously (4-0).

HB 520 DO PASS BY SUBSTITUTE (LC 28 7637ERS)

NOTE: Sen. Butler (55th) arrived.

<u>HB 515</u> (Rep. Mitchell, 88th, LC 28 7550ER) Tucker, City of; DeKalb County; incorporate

Rep. Billy Mitchell (88th), the author of HB 515, presented the bill to the Committee. Sen. Millar (40th), spoke to his amendment AM 28 1406. Sen. Henson (41st) spoke to his

amendment AM 28 1397. Representatives from the coalition Tucker 2015 spoke in support of the original bill, as presented to the Committee.

Sen. Tate (38th) made a motion to adopt amendment #1 (AM 28 1397). Sen. Kirk (13th) seconded the motion. The motion passed unanimously.

Sen. Kirk (13th) made a motion to adopt amendment #2 (AM 28 1406). Sen. Martin (9th) seconded the motion. The motion passed with a vote of 3-2. Sen. Kirk (13th), Sen. Williams (27th) and Sen. Martin (9th) voted yea. Sen. Tate (38th) and Sen. Butler (55th) voted nay.

Sen. Albers (56th), moved to adopt Sen. Henson's (41st) substitute after merging Sen. Millar's (40th) amendment. Sen. Martin (9th), then motioned **DO PASS by SUBSTITUTE**. The motion was seconded by Sen. Williams (27th). **HB 515** (**LC 28 7638 ERS**) passed 3-2. Sen. Butler (55th) and Sen. Tate (38th) voted nay.

HB 515 DO PASS BY SUBSTITUTE

<u>HB 514</u> (Rep. Bruce, 61st, LC 28 7553) South Fulton, City of; Fulton County; incorporate

Sen. Albers (56th) explained that HB 514 was supposed to be a general bill; it will now be voted on by majority signatures in the affected districts. He indicated the Committee would only hear HB 514. Senator Fort (39th) spoke against the bill. Rep. Virgil Fludd (64th) spoke in favor of the bill. Members of the public present spoke in favor of the bill. No public opposition was expressed.

HB 514 HEARING ONLY

With no further business, Sen. Albers (56th) adjourned the meeting at 6:31 p.m.

Respectfully submitted,

/s/ Sen. Michael Williams (27th), Secretary

Senate Committee on State and Local Governmental Operations Wednesday, March 25, 2015 Mezzanine 1 in the State Capitol

Sen. Albers (56th) called the meeting to order at 5:36 p.m. The following members were present:

Sen. John Albers (56th), Chairman

Sen. Greg Kirk (13th), Vice-Chairman

Sen. Michael Williams (27th), Secretary

Sen. Gloria Butler (55th)

Sen. Marty Harbin (16th)

Sen. Horacena Tate (38th)

Sen. P. K. Martin, IV (9th)

<u>HB 192</u> (Rep. Powell, 32nd) Local government; counties, municipal corporations, school districts, and consolidated governments be reimbursed for expenses only through submission of expense reimbursement requests; provisions

Sen. Jeff Mullis (53rd), as Senate sponsor, presented the substitute for HB 192 (LC 28 7666S) to the Committee. No support or opposition was expressed.

Sen. Kirk (13th) made a motion **Do Pass by Substitute** (**LC 28 7666S**). Sen. Butler (55th) seconded the motion. The motion passed 6-0.

HB 192 DO PASS BY SUBSTITUTE (LC 28 7666S)

<u>HB 432</u> (Rep. Raffensperger, 50th, LC 28 7517) Annexation of territory; local Acts providing for deannexation of property from a municipality and annexation of same property to another municipality which are effective on the same day do not create a prohibited unincorporated island; provide

Rep. Brad Raffensperger (50th), the author of HB 432, presented a substitute to the Committee. A lobbyist answered questions concerning the annexation status in the interim time before the bill is effective, saying that any city will essentially be an unincorporated island. No support or opposition was expressed.

Sen. Martin (9th) made a motion **Do Pass by Substitute** (**LC 28 7661ERS**). Sen. Harbin (16th) seconded the motion. The motion passed unanimously (6-0).

HB 432 DO PASS BY SUBSTITUTE (LC 28 7661ERS)

<u>SR 507</u> (Sen. Parent, 42nd, LC 28 7609) Municipal Annexations and Incorporations; create Joint Study Committee

Sen. Parent (42nd), the author of SR 507, presented the resolution to the Committee. The Committee would have 10 members review current law regarding various forms of annexations. No support or opposition was expressed.

Sen. Butler (55th) made a motion **Do Pass**. Sen. Tate (38th) seconded the motion. The motion passed with a 5-1 vote. The yea votes were Sen. Butler (55th), Sen. Harbin (16th), Sen. Kirk (13th), Sen. Tate (38th) and Sen. Williams (27th). Sen. Martin (9th) voted nay. **SR 507 DO PASS**

With no further business, Sen. Albers (56th) adjourned the meeting at 5:54 p.m.

Respectfully submitted,

/s/ Sen. Michael Williams (27th), Secretary

Senate Committee on State and Local Governmental Operations Friday, March 27, 2015 Mezzanine 1 in the State Capitol

Sen. Albers (56th) called the meeting to order at 8:02 a.m. The following members were present:

Sen. John Albers (56th), Chairman

Sen. Greg Kirk (16th), Vice-Chairman

Sen. Michael Williams (27th), Secretary

Sen. Marty Harbin (16th)

NOTE: Sen. Gloria Butler (55^{th}) , Sen. P. K. Martin, IV (9^{th}) and Sen. Horacena Tate (38^{th}) were absent.

$\underline{\text{HB 527}}$ (Rep. Willard, 51^{st} , LC 40 0887S) Counties; provide budget for population of two hundred thousand or more; repeal Act

Rep. Wendell Willard (51st), the author of HB 527, presented the bill to the Committee. No support or opposition was expressed.

Sen. Kirk (13th) made a motion **Do Pass**. Sen. Williams (27th) seconded the motion. The motion passed unanimously (3-0).

HB 527 DO PASS

With no further business, Sen. Albers (56th) adjourned the meeting at 8:05 a.m.

Respectfully submitted,

/s/ Sen. Michael Williams (27th), Secretary



The State Senate April 10, 2015

Mr. David A. Cook Secretary of the Senate 353 State Capitol Atlanta, Georgia 30334

Dear Mr. Cook,

On behalf of Chairman Albers, I am returning the following general bills assigned to the Senate State and Local Governmental Operations Committee for the 2015 Legislative Session of the Georgia General Assembly.

No action was taken on the following legislation:

SB 24

SB10

SB218

SB 210

SB 201

Respectfully Submitted,

Received 4/10/15

/s/ Jenny Guadalupe Recording Secretary Senate State and Local Governmental Operations Committee