

# SPECIAL REPORT: Crossover Day



## Upper Chamber Report

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CHAMBER (March 12, 2009) – The Senate met its midnight deadline to pass out all bills scheduled for a floor vote on the 30<sup>th</sup> day of the session. Known to Capitol insiders as Crossover Day, this is the last chance for bills to “cross over” from one chamber to another, an internal deadline established to avoid a bottleneck at the end of session. Crossover Day is typically the second longest day of the session due to a laundry list of bills scheduled for debate. Among the 30 plus bills passed by the Senate on Thursday, one in particular stood out among the crowd.

### Ethical Treatment of Human Embryos Act

A vote to limit the use of in-vitro embryos just for infertility treatments proved to be a contentious issue, making Senate Bill 169 authored by Sen. Ralph Hudgens (R-Hull) the most talked about bill of the day.

The Senate Health and Human Services Committee voted to remove all provisions relating to implanting embryos so that the issue could be further studied. A revised version of the bill made its way to the Senate Floor,

where vigorous debate sparked an amendment to clarify the bill’s intent. Sen. Preston Smith (R-Rome) was charged with revising the bill in subcommittee, and led the effort to further clarify the bill to a s s u a g e many senators’ concerns. He made it clear that the bill’s intent is to allow in-vitro embryos to be used only for fertilization or for cryopreservation to later be used for infertility treatments. Cloning is strictly prohibited, including any experimentation that involves combining human and non-human gametes to create a half-human, half-animal species.

Opponents argued that the bill’s narrow language jeopardizes stem cell research and sends the message that Georgia is an anti-science state. They said the bill could have a negative effect on the state’s economic development, as Georgia is set to welcome the 2009 BIO International Convention in

May, bringing an expected 20,000 biotech industry members looking to expand the biomedical industry here. In his critique of the bill, Sen. David Adelman (D-Decatur) asked the Senate “to put science before politics.”

Eventually the bill passed with a 34 to 22 vote split down party lines.

### Health

A measure to establish qualifications and oversight of the treatment of sleep and wake disorders, or the practice of polysomnography, proved to be a favorable measure, passing with no opposing votes. Senate Bill 252 creates an Advisory Committee to work in conjunction with the Composite State Board of Medical Examiners in determining the qualifications of applicants for certification as a polysomnographic technologist. Applicants must meet certain educational requirements and must successfully complete a criminal background check. It passed 49 to 0.

Senate Bill 222 reorganizes the state’s health and human agencies, establishing three new departments: the Department of Health, the De-



Sen. Smith answers questions on the final version of the bill



Sen. Hudgens outlines the bill’s intent to protect human life

partment of Human Services, and the Department of Behavioral Health. Sen. Renee Unterman (R-Buford) sponsored the legislation that restructures the 35-year-old Department of Human Resources in order to better respond to a greater number and variety of health issues. It passed unanimously 52 to 0.

Senate Bill 56 establishes the Georgia StopMeth Log for electronically recording the identity of those individuals who purchase certain medications used for the production of methamphetamine, including pseudoephedrine. It passed 49 to 2.

Senate Bill 94 provides that an insured under a group accident and sickness policy may include dependents up to age 25. It passed 49 to 1.

Senate Bill 244 would allow a designated caregiver to perform certain activities that will allow a disabled person to live as independently as possible in a home and community of his or her choice, passing 52 to 0.

A vote on a bill that would require health insurers to cover autism cases was delayed so that the issue can be further analyzed through a legislative study committee. Because autism is a complex disorder with varied symptoms, it was decided that more information was needed before moving forward with the legislation. The Autism Society of America defines autism, which affects 1.5 million Americans, as “a complex developmental disability that typically appears during the first three years of life and is the result of a neurological disorder that affects the normal functioning of the brain, impacting development in the areas of social interaction and communication skills.”



Senate Bill 161 would require accident and sickness plans to provide coverage for autism spectrum disorder and all

medically necessary care services relating to autism. The state health benefit plan, Medicaid, Peach-Care, ERISA plans, and employers with 25 or fewer employees would be exempt from this legislation, and an insurer subject to this legislation would only be required to provide coverage to a person until he or she reaches the age of 18. Senate President Pro Tempore Tommie Williams (R-Lyons) shared his personal experience with autistic care as he has helped family members fund treatment for one of their daughters. He noted that the costs of covering autism treatment with medical insurance would be lower than the costs for autistic education needs in the state.

### Education

Several education initiatives were passed, including one that requires local school boards to adopt and annually review a code of ethics. Senate Bill 36 responds to recent breakdown of ethics in some Georgia schools. Clayton County schools became the first in the nation to lose accreditation in 40 years, after the Southern Association of Colleges and Schools voted in March to revoke their accreditation. This threatened the eligibility of 50,000 students to attend college and receive scholarship money. After a hearing with an administrative law judge, the governor announced the immediate removal of four school board members who had violated board policies. Elsewhere in Georgia, 10 to 15 percent of schools are under accreditation review. It passed 51 to 0.



Senate Bill 231 establishes the PROMISE III teacher's scholarship for those with a bachelor's degree or higher and who are enrolled in an alternative teacher certificate program, which passed 52 to 0.

Senate Bill 160 requires public elementary and secondary schools to be closed in observance of Veterans Day, on November 11. The bill passed 51 to 1.

### Public Safety

A measure sponsored by Sen. Kasim Reed (D-Atlanta) that would help Atlanta with police and firefighting service survived a close vote and is now on its way to the House. This legislation creates a special district in cities that employ more than 1,500 police officers and firefighters combined. A special district ad valorem tax in the amount of 1 mill will be levied on all residential and commercial property for a four-year period. The tax would not be imposed until it is approved by voters. The proceeds of the tax imposed will be used exclusively for salaries of police officers and firefighters. Opponents to the bill were concerned about levying a new tax on citizens when the issue could be improved through other means such as reorganizing management or budgeting. The bill was passed after a 30 to 23 vote.

Senate Bill 246 would require the Department of Juvenile Justice to provide notice to victims if a juvenile offender is released from detention, which passed 54 to 0.

### Government Transparency

Senate Bill 17 by Sen. Seth Harp (R-Midland) increases filing fees and fines for campaign disclosure reports, financial disclosure statements, and lobbyist disclosure reports that are

filed late.

Sen. Eric Johnson (R-Savannah) included an amendment to SB 17 that grants the Department of Revenue the legal authority to release the names of legislators who avoid filing taxes to the Joint Legislative Ethics Commission or the House or Senate Ethics Committees. The committees can conduct an investigation of members of the General Assembly to examine if they have committed misconduct by failing to file a Georgia personal income tax return. If the committees conduct a public hearing for the misconduct, the names will become public at that time.

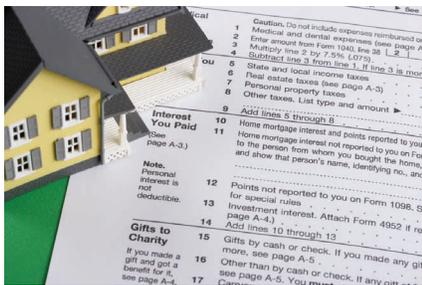
The amendment was adopted, and the amended bill passed unanimously 52 to 0 from the Senate.

To protect the integrity of the legislative process, Senate Bill 7 allows a legislative committee chairman to have witness to take an oath or affirmation prior to presenting testimony to a committee or subcommittee of the General Assembly. The bill passed with a majority 50 to 1 vote.

Senate Bill 96 calls for ethics committees where there are none in local government and calls for an ethics program for lobbyists. It passed 52 to 0.

**Homeowners**

There was a unanimous vote in favor of Georgia property owners with the 52 to 0 passage of Sen. Chip Rogers' (R-Woodstock) Senate Bill 240. The legislation enables property owners to go directly into arbitration over property assessments rather than going through the regular lengthy government process.



“Georgia’s property owners deserve realistic property values, especially during uncertain economic times. Today the Senate acted to put the property owners and government on a level playing field when it comes to assessing property values,” said Rogers. “SB 240 removes government bureaucratic layers, providing property owners more flexible options for resolving assessment disputes and achieving fair arbitration.”

Current government processes force property owners to go through local assessment boards which could take two or three months to resolve. SB 240 gives property owners another option to resolve assessment disputes with their county by allowing them to go directly into arbitration. This would significantly speed up the resolution process. Whoever loses the assessment dispute pays for the arbitration.

**Other bills that passed include:**

- Senate Bill 172 expands victim compensation awards to be granted to children and those with mental and emotional injuries. Passed 45 to 0.
- Senate Bill 207 opens juvenile court hearings to the public. Passed 50 to 3.
- Senate Bill 253 clarifies existing law addressing the regulation of fireworks and pyrotechnics by establishing a definition for “Indoors” as being within a building or an enclosed structure or beneath any structure used for sheltering any use or occupancy. Passed 52 to 0.

• Senate Bill 250 makes it unlawful to “knowingly, intentionally, or recklessly” interfere with the operation of any public school, public school bus, or public school bus stop. Passed 52 to 0.

• Senate Resolution 110 proposes an amendment to the Constitution so as to provide for the authority of the General Assembly to approve, reject, or modify any proposed expenditure of revenues received from motor fuel taxes. It failed to gain a constitutional majority with a 34 to 20 vote and did not pass.

• Senate Resolution 466 establishes the Performance Based Principal Certificate Renewal Design Team. Passed 50 to 0.

• Senate Bill 27 creates Confederate Heritage and History Month in April which can promote tourism using an important aspect of Georgia’s history. Passed 48 to 2.

• Senate Bill 130 is the Electronic Lease-Purchase of Goods Act which provides that persons entering into electronic lease-purchase agreements shall receive certain information and have certain rights with regard to the goods that are the subject of such agreements. Passed 48 to 3.

• Senate Bill 228 passed with several short amendments and would establish a 25-foot buffer along the upland boundary of all tidally-influenced state waters. Passed 49 to 3.

• Senate Bill 109 would transfer certain duties and obligations relating to retirement, pensions, and social security coverage from the Department of Administrative Services to specific state agencies. Passed 52 to 0.

• Senate Bill 162 would require persons seeking to be employed as an armed private investigation agent to meet certain pre-licensure requirements and can now apply directly to state board to be free to move from company to company without the need to get relicensed. Passed 51 to 0.

Senate Bill 195 amends numerous chapters regarding various provisions relating to professional licensure for various businesses and jobs in Georgia. Passed 53 to 0.

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# Legislative Process Dates

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## Important Dates in the Legislative Process

### Introduction - Last day to file and/or 1st Read in Senate.

**30<sup>th</sup> day** - last day to introduce General Senate bills and resolutions (even year). [Rule 3-1.2 (b)]

**30<sup>th</sup> day** - last day to accept General House bills and resolutions. [Rule 3-1.2 (b)]

**39<sup>th</sup> day** - last day to introduce General Senate bills and resolutions (odd year). [Rule 3-1.2 (b)]

*\*Note: Senate bills and resolutions must be filed with the Secretary before 4:00 p.m. to be 1st read on the next legislative day.*

## Deadlines for passage in current year

### Committee Report Deadlines - Last day to read report. Report submitted to Secretary by convening.

**28<sup>th</sup> day** - General Senate bills and resolutions.

**38<sup>th</sup> day** - Local Senate bills and resolutions.

**38<sup>th</sup> day** - General House bills and resolutions.

**40<sup>th</sup> day** - Local House bills and resolutions.

### Calendar Management

Calendar in numerical order after 2nd reading of legislation; days 1-5. [Rule 4-2.10 (a)]

Rules Committee sets the calendar for days 6 - 40. [Rule 4-2.10 (b)]

### General Senate Bills and Resolutions

**26<sup>th</sup> day** - File with Secretary of the Senate. [Rule 3-1.2 (a)]

**27<sup>th</sup> day** - 1st Reading and referral to committee. [Rule 3-1.2 (b)]

**28<sup>th</sup> day** - Committee report read upon convening. (A recommitted bill already 2nd read - report day 29.)

**29<sup>th</sup> day** - 2nd Reading. [Rule 4-2.6]

**30<sup>th</sup> day** - Passage [Rule 4-2.10 (a)] and immediate transmittal to House. [Rule 4-2.14]

### Local Senate Bills and Resolutions

**35<sup>th</sup> day** - File with Secretary of the Senate. [3-1.2 (a)]

**36<sup>th</sup> day** - 1st Reading and referral to committee. (Cannot pass for 2 days.) [Rule 4-2.4 (c) ]

**38<sup>th</sup> day** - Favorable report by committee, passage and immediate transmittal to the House. [Rule 4-2.14]

**39<sup>th</sup> day** - 2nd Reading in House.

**40<sup>th</sup> day** - Favorable report and passage in House.

### General House Bills and Resolutions

**30<sup>th</sup> day** - Transmitted from House and received by Secretary.

**31<sup>st</sup> day** - 1st Reading and referral to committee. [Rule 3-1.2 (b)]

**38<sup>th</sup> day** - Favorable report upon convening and 2nd reading. (Applies to days 36 - 38) [Rule 4-2.6]

**39<sup>th</sup> day** - Passage. [Rule 4-2.10 (a)]

**40<sup>th</sup> day** - Passage of bills or resolutions tabled day 39; removed from the table on day 40. [Rule 4-2.10 (a)]

### Local House Bills and Resolutions

**39<sup>th</sup> day** - 1<sup>st</sup> Reading and referral to committee.

**40<sup>th</sup> day** - Favorable report by committee and passage.

*\* Note: On the 30th day and on the last three days of session, bills and resolutions needing action from the House are automatically immediately transmitted. [Rule 4-2.14]*