

Senate Passes HOPE Funding Protection, Honors Mayor Franklin and Georgia Women for Day 32

By Matt Colvin

CHAMBER (March 19, 2009) - A bill that would limit any future cuts to the HOPE Scholarship textbook and activity fee allowances was overwhelmingly passed out of the Senate Chamber on Wednesday and is on its way to the governor to be signed into law. The measure, House Bill 157, changes the conditions under which the book allowance or mandatory fees under HOPE may be reduced due to a lottery shortfall. HB 157 headlined a day that saw two other House Bills clear the Senate Floor

and saw the Upper Chamber host Atlanta's outgoing mayor and recognize Georgia Women's history Month.

HB 157 was presented by Sen. Seth Harp (R-Midland), who chairs the Senate Higher Education Committee. Harp stated that this bill would preserve the book allowance and mandatory fees unless there is a substantial short-

fall in the Georgia Lottery for Education Account and would soften the triggering fees that currently exist that reduce the amount of activity and book fees HOPE students receive when there is a shortfall in the lottery reserve.



Sen. Harp encourages protecting HOPE book allowances

Currently, HOPE recipients receive a book allowance of \$150 per semester or \$100

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Key Bills and Resolutions Introduced in the Senate

- **House Bill 709** reconstitutes the governing authority of the City of Port Wentworth.
- **House Bill 711** creates a board of elections and registration for Toombs County and provides for its powers and duties.

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- **House Bill 712** authorizes the governing authority of the City of Warner Robins to levy an excise tax pursuant to subsection.
- **House Bill 713** authorizes the governing authority of the City of Perry to levy an excise tax pursuant to subsection.
- **Senate Bill 266** provides for a homestead exemption from City of Kingsland ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the base year assessed value of such homestead.
- **Senate Bill 267** provides for a homestead exemption from City of Woodbine ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the base year assessed value of such homestead.
- **Senate Bill 268** provides for immunity for the Brunswick-Glynn County Joint Water and Sewer Commission and its officers, agents, and employees.
- **Senate Bill 269** provides for a homestead exemption from Brantley County School District ad valorem taxes for educational purposes in an amount equal to the amount by which the current year assessed value of that homestead exceeds the base year assessed value of that homestead.
- **Senate Bill 270** provides for a homestead exemption from Brantley County ad valorem taxes for county purposes in an amount equal to the amount by which the current year assessed value of that homestead exceeds the base year assessed value of that homestead.



Upper Chamber Report

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Raegan Weber, Press Director
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TOP STORY, cont'd

per quarter. However, under current law, if the year-end balance of unexpended and uncommitted funds in the Lottery for Education Account is lower than the year before, then the book allowance must be reduced to no more than \$150 per year. Harp has stated that this would apply to a shortfall of even just one dollar. Additionally, if there is another shortfall the following year, the book allowance is eliminated. If there is a further shortfall the year after that, then scholarship and grants for mandatory fees must be eliminated.

Under HB 157, new conditions for reducing the allowance are imposed:

- If a year-end balance is less than 92 percent of the highest year-end balance since Fiscal Year 2004, then book allowances must be reduced to no more than \$150 per year.
- If the year-end balance of any subsequent fiscal year is less than 84 percent of the highest year-end balance, then the book allowance must be eliminated.
- If the year-end balance of any further subsequent fiscal year is less than 75 percent of the highest year-end balance, then scholarship or grants for mandatory fees must be eliminated.

Lottery-funded programs presently have reserves of more than \$960 million, which is sufficient to fund these programs for another year. Harp joined Rep. Ben Harbin (R-Evans), who carried the bill in the House, in sponsoring this legislation because there is currently no emergency in HOPE funding that would warrant the reduction or elimination of these benefits given the current state reserve funds.

It has been predicted that lottery revenues will fall short of the expenses of lottery-funded programs by Fiscal Year 2010, triggering current law's reductions of the book allowance and mandatory fees.

There are over 200,000 HOPE recipients this year.

Two other bills unanimously passed the Senate and will now head to the governor's desk to be signed into law.

House Bill 80 was carried in the Senate by Sen. Jack Murphy (R-Cumming) relating to life insurance for private companies. HB 80 would reduce the minimum required number of employees that current law allows for private companies to acquire life insurance from 100 to 2. Sen. Bill Heath (R-Bremen) was the Senate sponsor for House Bill 202, which would revise standing condi-

tions for allocating compensations and benefits for retirement and pensions.

The Senate paused its legislative activities to honor Atlanta Mayor Shirley Franklin. Metro Atlanta area senators joined Lt. Gov. Casey Cagle to introduce and thank Mayor Franklin for her service to Georgia's largest city during her two terms in office. Mayor Franklin's last term ends in December of this year.

The Senate members of the Legislative Women's Caucus took the well to pay tribute to Georgia Women's History Month and invited all General Assembly members to join them in honoring great women leaders in Georgia and U.S. history.



Legislative Women's Caucus honors Women's History Month

Senate members of the Women's Caucus include Sens. Gail Buckner (D-Morrow), Gloria Butler (D-Stone Mountain), Nan Orrock (D-Atlanta), Freddie Powell Sims (D-Dawson), Valencia Seay (D-Riverdale), Horacena Tate (D-Atlanta), and Renee Unterman (R-Buford).

The Senate will be adjourned until Thursday, March 19 at 10:00 a.m. for Legislative Day 33. □

Key Bills and Resolutions, cont'd

- **Senate Resolution 605** requests that the United States Congress avoid wasteful, unnecessary, and unwise projects.
- **Senate Resolution 613** recognizes the Georgia Appalachian Center for Higher Education at North Georgia College and State University in Dahlonega as Georgia's official Appalachian Center for Higher Education.
- **Senate Resolution 615** creates the Senate Georgia State Fire Services Study Committee.

In Committee News...

House Version of DHR Restructuring Passes Government Oversight Committee with Senate Substitute

By Matt Colvin

CAP 450 (March 18, 2009) –The Senate Government Oversight Committee has adopted its version of the Department of Human Resources (DHR) restructuring plan during consideration of the House version of the measure. House Bill 228, which is the competing legislation to Senate Bill 222 for DHR reorganization, was taken up as part of Wednesday's meeting at the Capitol. The committee adopted a substitute making the bill identical to SB 222, which is in the House for consideration. The substitute includes several revisions to definitions and terms to streamline the legislation, and the committee



members discussed broad support for the proposed changes from state agencies and the governor's office for the basic elements of both Senate and House plans before unanimously adopting the substitute. Committee Chair Sen. Renee Unterman (R–Buford) said she expects the issue to go before a conference committee to resolve any differences and send the DHR plan to the governor before the end of the 2009 session.

The Senate's plan would create the new Department of Human Services, the Department of Health, which would assume the duties of the current Department of Community Health and add the Public Health division to its duties, and the Department of Behavioral Health that would take over the responsibilities of the current Mental

Health, Developmental Disabilities, and Addictive Diseases divisions. The restructuring efforts were part of a lengthy study committee in conjunction with the executive and legislative branches with the goal of more streamlined, efficient organization that would not cost the state any additional funds.

House Bill 108 was favorably reported out of committee during Wednesday's meeting. The bill would designate the Ralph Mark Gilbert Civil Rights Museum in Savannah as the official Georgia historical civil rights museum.

A bill sponsored by Sen. Robert Brown (D–Macon) that would adjust open records requirements for when government agencies are discussing future acquisition of real estate was heard but will be held off for Senate consideration until next year's session. Senate Bill 143 would allow for the public to have 90 days from when the meeting minutes become public to contest the decision, rather than 90 days from when the closed meeting takes place. □

Senate Regulated Industries Committee Pass Bill to Help Consumers

By Ravae Graham

CAP 450 (March 18, 2009) – The Senate Regulated Industries and Utilities Committee chaired by Sen. David Shafer (R–Duluth) met today and passed three bills.

A consumer friendly bill designed to alleviate customers of third party charges was unanimously passed. House Bill 302, sponsored by Rep. Mark Hamilton (R–Cumming), states that a telecommunication company that charges a customer for a service from a non-affiliated

third party must provide the customer the ability to block the associated charge.

House Bill 68 from Rep. Chuck Sims (R–Ambrose) aimed at streamlining the operation of funeral homes and crematories was unanimously passed. Under the bill, a funeral establishment must keep a statement from an authorized agent of the disposition of the cremated remains. After 60 days, if the agent has not specified the disposition or claimed the remains, the funeral establishment must send a notice for final instructions. If the funeral establishment never receives final instructions, the cremated remains

will be entombed in a crypt.

Sen. Doug Stoner (D–Smyrna) closed the meeting by presenting House Bill 473 on behalf of Rep. Ben Harbin (R–Evans). HB 473 provides grants until December 31, 2012 for clean energy properties supplied from federal funds. The Grants will be issued by the Georgia Environmental Facilities Authority (GEFA) to anyone for the construction, purchasing, or leasing of clean energy property. Availability of grants is on a first come, first serve basis and is limited to 35 percent of the property costs. The bill was unanimously passed. □

Education Committee Passes Move on When Ready Act

By Ravae Graham

CLOB 307 (March 18, 2009) – In an effort to help improve graduation rates and give students alternative means of obtaining a high school diploma, the Senate Education and Youth Committee unanimously passed House Bill 149. Sponsored by



Rep. Jan Jones (R-Alpharetta), the measure creates the Move on When Ready Act allowing juniors and seniors to finish their high school diploma requirements while attending a college or university full-time. The State Board of Education will determine and approve postsecondary institutions that will participate in the program.

Rep. Jay Neal (R-LaFayette) presented House Bill 455 which would allow local boards of education to extend the deadline when offering teachers employment contracts for the next school term. The measure would extend the current deadline of April 15 to May 15.

President Jeff Hubbard of the Georgia Association of Educators spoke in opposition to the legislation, stating that because of the economic situation teachers that will be displaced should be provided with enough time to

find other means of employment. The bill failed with a vote of 3-4.

House Bill 555 by Rep. David Casas (R-Lilburn) passed through the committee with a favorable report. Under HB 555, the “Charter Schools Act of 1998” is amended to include commission charter schools and the Georgia Charter Schools Commission. Additionally, a local charter school that is using a facility given to them by a local board is not allowed to sell or dispose of the facility without the board’s permission.

Rep. Joe Wilkinson (R-Sandy Springs) presented his bill to keep parents informed of infectious diseases, information and treatments that may affect their children. House Bill 300 states that if a local board provides information about immunizations, infectious diseases, medications, or other school health issues to parents in grades six through 12, then information about meningococcal meningitis will be included. The bill unanimously passed. □

Facts on Meningococcal Meningitis

- Meningococcal meningitis is a severe bacteria infection of the meninges, the thin lining that surrounds the brain and the spinal cord
- Strikes approximately 2,500 Americans each year
- Adolescents and young adults are at an increased risk for contracting the deadly disease
- Approximately 10-15 percent of infected teens will die. Another 20 percent suffer permanent disabilities including organ damage and limb amputation
- Onset and progression can be rapid and in most cases (60 percent), infected individuals are symptomatic for less than 24 hours before seeking medical care
- Spreads by respiratory secretions and direct contact, such as coughing, kissing or sharing items like water bottles, cups, lip balm, candy bars or utensils

Legislative Process Dates

Important Dates in the Legislative Process

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

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

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

39th 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.

28th day - General Senate bills and resolutions.

38th day - Local Senate bills and resolutions.

38th day - General House bills and resolutions.

40th 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

26th day - File with Secretary of the Senate. [Rule 3-1.2 (a)]

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

28th day - Committee report read upon convening. (A recommitted bill already 2nd read - report day 29.)

29th day - 2nd Reading. [Rule 4-2.6]

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

Local Senate Bills and Resolutions

35th day - File with Secretary of the Senate. [3-1.2 (a)]

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

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

39th day - 2nd Reading in House.

40th day - Favorable report and passage in House.

General House Bills and Resolutions

30th day - Transmitted from House and received by Secretary.

31st day - 1st Reading and referral to committee. [Rule 3-1.2 (b)]

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

39th day - Passage. [Rule 4-2.10 (a)]

40th 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

39th day - 1st Reading and referral to committee.

40th 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]*