

2 DAY
EDITION

Legislation to Combat Childhood Obesity Passes Senate

By Ravae Graham

CHAMBER (March 19, 2009) - In Georgia, one out of three children is considered overweight. A bill designed to help combat childhood obesity was presented by Sen. Don. Thomas (R-Dalton). Under House Bill 229, all Georgia schools would be required to conduct an annual fitness assessment of students during physical education courses.

Although Sen. John Wiles (R-Kennesaw) respected the intent of the bill, he spoke in opposition. He believes it is the role of parents and guardians to check the fitness of children, not the government.

Sen. Judson Hill (R-Marietta) and President Pro Tempore Tommie Williams (R-Lyons) both took the well in unwavering support of the bill on the premise that it is time to focus not just on the education of children, but also their health. Currently, Medicaid allocates an estimated 10 percent of their budget for treating obesity. The bill passed 34 to 14.

In an effort to help enforce driver and vehicle safety throughout the state, the Senate unanimously passed House Bill 343 which designates members of the Motor Carrier Compliance Division (MCCD) as law enforcement officers. It further authorizes the Department of Public Safety (DPS) to establish a 'weight inspector' position within MCCD. The measure would generate more money for the state since weigh stations would be provided with the manpower to stay open later.

would require the Georgia Technology Authority (GTA) to publish an annual state information technology report which would record the state's current and planned technology expenditures. The bill also passed with no opposition.

On Thursday, Sen. Lee Hawkins (R-Gainesville) led the effort to recognize Tommy Aaron for his contributions to the sport of golf. During his tour with the Professional Golf Association from 1961 to 1982,

Aaron never finished out of the top 60 money list and was a member of the Ryder Cup Team in 1969 and

Sen. Jack Murphy (R-Cumming) presented House Bill 210 an amendment providing provisions for membership in the Georgia Judicial Retirement System. HB 210 clarifies that members of the retirement system employed by the Office of Legislative Counsel or the Attorney General's Office are subject to the same provisions applicable to solicitors-general of the state court. The bill passed 50 to 0.



Senate honors Golf Hall of Famer and Master's champion Tommy Aaron

1972. His achievements in the game of golf are legendary, including his 1973 victory at the Masters, triumphs at the Atlanta Classic, Canadian Open, and Lancomb Trapley; and his induction into the Georgia Sports Hall of Fame and the Georgia Golf Hall of Fame. The Masters golf tournament is played annually at the Augusta National Golf Club. This year the tournament will be held April 6-12. □

Finally, Sen. Cecil Staton (R-Macon) presented House Bill 436, which

Upper Chamber Report

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Raegan Weber, Press Director
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Student Scholarship Legislation Passes Out of Senate

By Hayley Howell

CHAMBER (March 20, 2009) – Legislation that allows individuals and companies to donate money for student scholarships took center stage in today’s chamber. Sen. Eric Johnson (R-Savannah) took up for House Bill 100 which amends language to current student scholarship legislation. It states that an eligible student at the time the scholarship was first received will remain eligible for the duration of that scholarship, and Pre-K programs will be included as a qualified program. Each scholarship organization must also verify it has obligated 90 percent of its annual revenue for scholarships or tuition grants. A taxpayer will be allowed a credit for the amount given or 75 percent of the taxpayer’s income tax liability.

Johnson reminded the Senate that the bill is a great opportunity to help tax payers while also allowing children to receive a better education. This program gives individuals the chance to donate to a scholarship fund to help pay for student’s tuition, especially students from low-income families.

Concern for the bill rose from Sen. Nan Orrock (D-Atlanta) who professed the bill allows for a “double dip,” because it gives a federal tax reduction and a state tax credit. She was also dubious about the possible

negative effects it could have on the already hurting state budget. Others asked why Pre-K is included in the legislation when Pre-K programs are currently funded by lottery proceeds.



Support came from Sen. Chip Rogers (R-Woodstock) stating that the bill had simply found an easier way for people to make contributions and

invest in education. Contrary to opposition, Rogers stated that it was a brilliant idea to provide the so called “double dip” of federal tax reductions along with a state tax credit for Georgia tax payers who want to contribute to education.

The bill passed with a majority vote of 35-12.

Most of the other bills passed without much discussion and with unanimous consent from the Senate. House Bill 71 was presented by Sen. John Wiles (R-Kennesaw) and makes it an offense to manufacture,

sell, and distribute false identification documents, even with the word “novelty” on it. House Bill 226 was supported by Sen. Johnny Grant (R-Milledgeville) which changes provisions relating to the sentencing and confinement of certain defendants in a probation detention center. Sen. Ralph Hudgens (R-Hull) addressed House Bill 330 which changes certain provisions relating to service of decisions of an administrative law judge and decisions of the appellate division.

Hudgens continued with House Bill 550 which provides an additional method of payment by a mutual life insurer of the equity. In addition to other options allowed by current law, this legislation allows a mutual insurer to become a stock insurer under any plan and procedure as may be approved by the Commissioner. This is only if the plan, as elected by a life insurer and voted upon by the members, gives to each policyholder of the life insurer payment as a paid-up life insurance policy with a cash value equal to 100 percent of the policyholder’s equity in the insurer.

Sen. Seth Harp (R-Midland) had major concerns for the bill. Harp fervently professed that this bill would not protect policy holders. He said it would only provide quick and transient satisfaction and was only setting up a “robbery” from the plans of those who already have life settlements.

The bill failed to pass in a 23-26 vote and will be reconsidered the next legislative day. □

In Committee News...

JOBS Act gets Amended, Sent Back to Rules Committee

Senate Finance Committee passes sales and income tax, revenue bills over two-day schedule

By Matt Colvin

307 CLOB, 450 CAP (March 19-20, 2009) – A bill designed to stimulate Georgia’s small business climate with tax incentives and credits was re-committed to the Senate Finance Committee Friday to add an amendment that would get it to the Senate Floor for a vote. The Jobs, Opportunity, and Business Success (JOBS) Act of 2009 was favorably reported out of committee on Tuesday but then returned to the committee for a little more work on Friday. The Finance Committee voted in an amendment to strike language allowing small businesses the option to add worker’s compensation insurance if the business employed less than nine people. Currently, Georgia law requires businesses to enact worker’s compensation insurance if they have three or more employees. Several senators spoke out against the amendment as being anti-business that adds an extra burden on small start-ups, but ultimately had to vote the amendment in to get the legislation to the floor for a vote. The bill, House Bill 481, now heads back to the Rules Committee for consideration.

House Bill 481 and 482 comprise the JOBS Act with HB 481 providing a new business filing fee holiday, a \$500 credit towards the unemployment insurance tax for each eligible employee hired, a \$2,400 income tax credit for each eligible employee hired, and the elimination of the sales tax deposit. HB 482 would eliminate the state inventory tax on all Georgia businesses. The original House version of HB 481 included the gradual elimination of the corporate income tax and a Senate committee substitute that was passed has placed that measure back into the legislation.

Other bills that unanimously passed out of the Senate Finance Committee during their two-day meeting schedule included: House Bill 74 would bring Georgia Code in line with the federal tax code; House Bill 129 would authorize a sales tax exemption for goods used in a qualifying zoo renovation or expansion; House Bill

181 extends the Department of Revenue (DOR) Commissioner’s authority to make distributions of certain unidentified tax proceeds; House Bill



318 redefines several conditions for place of tax returns on motor vehicles and motor homes; House Bill 334 allows DOR to require electronic filing for tax liability of more than \$1,000 for certain persons and businesses;

House Bill 335 allows for the DOR commissioner to serve subpoenas using mail services; House Bill 395 allows for sales and use tax exemptions for symphony hall construction through the 2011 fiscal year; House Bill 441 authorizes a taxpayer to request an expedited sales tax claim payment for refund; House Bill 444 would add penalties for fraudulent and deceitful tax return preparation.

All bills passed now head to the Senate Rules Committee before being considered on the Senate Floor. □

Health Committee Passes Bill to Provide Relief to Adoptive Parents

By Ravae Graham

450 CAP (March 19, 2009) – The Senate Health and Human Services Committee chaired by Sen. Don Thomas (R-Dalton) met to consider three bills.

Rep. Edward Lindsey’s (R-Atlanta) House Bill 237 allows adoptive parents of hard-to-place foster children to receive financial assistance. The bill specifies that financial assistance will

be available once the child has been placed for adoption, determined as being eligible for assistance, and the adoption assistance agreement has been signed by all parties.

Rep. Mike Jacobs (R-Atlanta) presented House Bill 60 clarifying license requirements for Counselors, Social Workers, and Marriage/Family Therapists. The bill states that people who are exempt from professional licensing requirements, such as clergy members or students, are prohibited from presenting themselves to the public as being licensed to practice professional

counseling, social work, or marriage and family therapy.

Finally, Chairman Thomas’ Senate Resolution 399 creating the Senate Study Committee on Georgia Non-profit Organizations and Their Governmental Partnerships. The committee will be responsible for studying the relationship between state and local governments and nonprofit organizations in delivering goods and services.

All three bills passed unanimously. □

Trauma Care Relief Speeds through the Public Safety Committee

By Hayley Howell

310 CLOB (March 19, 2009)— Help for trauma care passed through the Senate Public Safety Committee today in the form of the Super Speeder Bill (House Bill 160). Sen. Bill Heath (R-Bremen) led the legislation which had come through the committee earlier this week for discussion and debate. The bill directs the Department of Driver Services to collect a \$200 fee from any driver, or “super speeder,” who is convicted of driving at a speed of 85 miles per hour or more on any four-lane road or 75 miles per hour or more on any two-lane road. All funds collected from “super speeders” will be used to fund a trauma care system in Georgia. After no further discussion, it passed unanimously 7-0.

Discussion began for Rep. Matt Ram-

sey’s (R-Peachtree City) House Bill 23 which prohibits any driver under the age of 18 from operating a motor vehicle while using a wireless telecommunication device. Fines for engaging in this behavior range from \$50 to \$100 along with two points being added to the violator’s driving record.

The director of the Governor’s Office of Highway Safety, Bob Dallas, rose on behalf of HB 23. Dallas informed the committee that Georgia’s motor vehicle accident rates were decreasing because of teen driving laws already in place. He supported the bill in the knowledge that it would only further help decrease the state’s motor vehicle death rates for all of Georgia’s drivers. Discussion for the bill will continue in the next meeting.

Rep. Len Walker (R-Loganville) proposed his House Bill 306 which allows a defendant to be released from custody pending the trial of his or her

case on the condition that the defendant complies with the terms and conditions of an electronic pretrial release and monitoring program. Walker stated that along with its many benefits, the electronic release program is most importantly an effective cost saver by using an inexpensive tracking device for released inmates where as housing an inmate costs substantially more money. It passed unanimously 7-0 from the committee.

Sen. Jeff Mullis (R-Chickamauga) also passed legislation unanimously with his Senate Resolution 615 which creates the Senate Georgia Fire Services Study Committee. The committee will explore the possibilities of combining state fire services to help eliminate confusion, create consistencies, avoid delays in the administration services, preserve state resources and funds, and better provide training and education for fire officials and the public. □

Senate Ethics Committee Passes a Provision to Protect Victims of Violent Crimes

By Raegan Weber

CAP 125 (March 19, 2009) – The Senate Ethics Committee, chaired by Sen. Eric Johnson (R-Savannah), convened today and passed a bold measure that would protect the victims of violent crimes by making his or her address confidential with the board of registrars. Current law provides for information collected from voter registration that are on the Secretary of State’s (SOS) list be open to the public. Under the bill, a person who has obtained a restraining order or protective order may request his or her board of registrars to make his or her address confidential. In addition, a bona fide resident of a family violence shelter may request to have his or her address made confidential.

The proposed legislation came about after the 2008 elections when the SOS discovered a woman who was living in a family violence shelter wanted to vote, but felt there was no way to do so without revealing her address and fearing further violence by her perpetrator. She was also concerned for other members of the shelter being put in danger.

Shelly Senterfitt of the Georgia Coalition Against Domestic Violence spoke very favorably of the bill, but also encouraged the committee to consider adding an amendment that would extend this protection to include people who receive services from a certified family violence shelter but don’t live there. She explained that the idea is not to reveal any victim’s address no matter their location. The committee encouraged a senate sponsor to take this up as an

amendment on the Senate Floor.

While a few senators were concerned about possible abuse of this provision by non-victims, the bill passed unanimously out of committee without the amendment.

The committee also unanimously passed House Bill 156, which provides that any elected magistrate judge performing ordered military duty is eligible for reelection and such military duty does not create a vacancy in the office, and House Bill 86, which dictates that absentee ballots must be counted by precinct and separate returns must be made showing the results by each precinct. □



Natural Resources Committee Encourages Development of Alternative Energy

By Ravae Graham

450 CAP (March 19, 2009) – Georgia's growing population requires increased production of energy. On behalf of Rep. Lynn Smith (R-Newnan), Chairman Ross Tolleson (R-Perry) presented House Resolution



338 supporting the development of Georgia's energy resources, both on land and offshore. Georgia's abundant supply of timber and biomass

provide the infrastructure for the development of alternative, unconventional energy resources.

Georgia's nonresident hunting and fishing license fees are priced well

below market value. Benchmarking Georgia's fees against those of surrounding states and the quality of hunting and fishing provided in Georgia results in more appropriate pricing of nonresident hunting and fishing licenses. Rep. Bob Lane's (R-Statesboro) House Bill 326 offers a discount of \$2.75 to all hunters and anglers that renew their license before their current license expires. The legislation also changes the nonresident hunting license to a hunting/fishing combination license, eliminates the primitive weapons license and provides the option of purchasing licenses valid for multiple years. The bill was unanimously passed.

Rep. Terry Barnard (R-Glenville) presented House Bill 248 establishing the Georgia Voluntary Remediation Program. Under this legislation the General Assembly intends to encourage voluntary and cost-effective investigation and remediation of property where hazardous waste and substances have been released. The bill was unanimously passed.

Other bills that unanimously passed through committee include:

- Senate Resolution 579 creating the Senate Biomass/Bioenergy Study Committee.
- Senate Resolution 589 requesting Congress replace the restrictive definition of renewable biomass in the Energy Independence and Security Act of 2007 with the definition of renewable biomass currently used in the 2008 Farm Bill. Georgia's forests also provide opportunities for new jobs, an improved economy, and a healthier environment. Timberlands provide a great opportunity for biomass production for alternative energy. Georgia has 22.9 million non-Federal acres of Timberland. Under the Energy Act, only 7.4 million acres would be recognized and this severely impacts capabilities for new energy sources, new businesses and new forest growth. □

Key Bills and Resolutions Introduced in the Senate

Thursday, March 19

- **House Bill 720** authorizes the City of West Point to exercise all redevelopment and other powers under the "Redevelopment Powers Law."
- **House Bill 722** authorizes the governing authority of Clayton County to levy an excise tax pursuant to subsection.
- **House Bill 723** revises certain term limitations on members of the board of elections for Columbia County.
- **House Bill 724** reincorporates and provides a new charter for the Town of Alto, Georgia.
- **House Bill 725** provides for reapportionment or redistricting of the districts from and by which members of the board of commissioners of Johnson County are elected.
- **House Bill 726** provides again for reapportionment or redistricting of the districts from and by which members of the board of education of Johnson County are elected.
- **House Bill 728** changes the reimbursement of members of the Greene County Airport Authority.
- **Senate Bill 271** changes the corporate limits of the City of Ringgold.
- **Senate Bill 272** provides that a utility that recovers from its customers the costs of financing associated with the construction of a nuclear generating plant shall provide such customers with certain information regarding certain charges to them relating to the recovery of such costs.
- **Senate Resolution 619** requests that the Environmental Protection Division lead efforts to evaluate the appropriate deficit from natural for dissolved oxygen in the Savannah Harbor to allow for protection of aquatic species and the economic viability of the region.

Key Bills, cont'd

- **Senate Resolution 621** requests the President of the United States, Barack Obama, to select Mr. Thomas J. Harrold, Jr., to serve as the United States Ambassador to Germany.
- **Senate Resolution 622** creates the Senate Dangerous Dogs Study Committee.
- **Senate Resolution 626** expresses opposition to requiring private health insurers to pay for the treatment of veterans' service connected injuries and disabilities.
- **Senate Resolution 627** creates the Senate Study Committee on the Merger of Georgia Technical and two-year colleges.
- **Senate Resolution 628** creates the Senate Study Committee on Health Care Provider Rental Network Contract Arrangements.

Friday, March 20

- **Senate Bill 273** makes it unlawful and a violation of oath of office for the Governor-elect or the Governor to engage in seeking or accepting campaign contributions, provides an exception for purposes of retiring campaign debt, restricts the making or accepting of certain contributions for retiring campaign debt, prohibits the acceptance of certain gifts, provides violations, and provides for enforcement by the State Ethics Commission.
- **Senate Bill 274** provides that municipal court judges shall be elected on a nonpartisan basis and increases the jurisdiction of the court in certain cases for the Municipal Court of Columbus, Georgia.
- **Senate Resolution 632** affirms states' rights based on Jeffersonian principles.
- **Senate Resolution 635** creates the Senate Study Committee on Georgia Health Disparities for Asian and Pacific Islander Americans.
- **Senate Resolution 637** proposes an amendment to the Constitution so as to provide that the Governor shall serve a six-year term of office and all not be able to succeed himself or herself.

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]*