

# Senate Version of the 2010 Budget Passes, Heads to Conference

By SPO Team

CHAMBER (April 1, 2009) - With only one day remaining in the 2009 legislative session, the Senate wasted no time in passing its version of the Fiscal Year 2010 budget Wednesday, sending it quickly to conference committee so work could begin on ironing out differences with the House. Taxes and education became hot button issues later in the day, followed by a bill dealing with Georgia's water reservoirs that proved to be a controversial measure. The Senate also passed an embryo adoption bill, which if signed into law, will make Georgia the first state in the nation with laws governing the adoption of human embryos.

## Budget

The Senate's version of the budget represents \$2 billion in spending cuts from last year's FY 2009 budget, presenting a challenge to budget writers to maintain needed funding levels across all areas of government. Senate Appropriations Committee Chairman Jack Hill (R-Reidsville) presented the budget, which he feels is responsive to the difficult economic times the state is currently facing by reducing the size of government to make it more self-

sufficient and adding no new funding measures. He mentioned that federal stimulus funds helped provide relief but said even with that aid there were still painful cuts that had to be made, but the budget still successfully addresses the critical needs of the state such as health care and education, which the Senate made a priority.

The Senate's version of the budget provides funds to fully restore

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Sen. Hill presents FY2010 budget

# Upper Chamber Report

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Raegan Weber, Press Director  
Kallarin Richards, Editor in Chief

## Key Bills and Resolutions Introduced in the Senate

- **House Bill 518** relates to the Augusta-Richmond County Coliseum Authority so as to change the membership, provide for the terms and appointment of members, and to provide for qualifications of the members.

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- **House Resolution 583** requests that Congress oppose federal legislation that interferes with a state's ability to direct the transport or processing of horses.
- **Senate Bill 287** relates to drivers' licenses, so as to provide that, when a person reports that his or her instructional permit or driver's license has been stolen or forged, the department shall issue a replacement permit or license with a new number; to provide that the number of the stolen or forged license shall be either removed from the data base of valid permits and licenses or the number in the data base shall be marked as having been reported stolen or forged and no longer valid.
- **Senate Bill 288** changes the benefit formula for the Teachers Retirement System of Georgia from 2 percent to 2.5 percent; changes the maximum number of years of service used in such calculation; and provides a postretirement benefit adjustment.
- **Senate Resolution 736** creates the Senate Telecommunications Comprehensive Reform Study Committee.

## TOP STORY, cont'd

the 10 percent cut to hospital Medicaid provider rates and the 6 percent cut to other providers who serve the Medicaid population, covers the \$140 million deficit faced by Medicaid in FY10, and provides \$2 million in funds for community health centers.

For education, the Senate budget restores funds for school nurses to the tune of \$29.1 million, restores \$7.2 million of salary increases for nationally board certified teachers, adds \$6 million for special needs scholarships, adds \$1.8 million for charter systems and \$1.1 million that will provide an additional 2,000 courses for Georgia Virtual Schools.

Public safety's budget adds \$6 million in additional funds for new beds for a private prison and restores funds for the Regional Crime Labs in Moultrie, Columbus and Summerville.

Hill also described several of the budget cuts the state faces in 2010. Areas of larger cuts include the Department of Community Affairs and its attached agencies, which took a 48 percent cut; several support agencies including the Department of Administrative Services and the Judicial Council budget which are facing a 57 percent and 25 percent cut respectively; and the State General Transportation Funds were cut 64 percent, including requests that the Department sell at least three state airplanes, replace airport assistance projects with stimulus funds, and shifts funds away from administration and into projects.

Hill described other areas where the state was hoping to become more self-sufficient. Under this budget, the Institute of Continuing Judicial Education would save \$1 million by requiring judges to pay for their own training, \$3.3 million could be saved from state purchases using P-Card

and other revenue, and the Georgia Bureau of Investigation would be asked to charge more for criminal background checks.

A floor amendment was introduced by Senate Minority Leader Robert Brown (D-Macon) that would have re-appropriated funding for Jekyll Island to funding the state Veteran's Domiciliary in Milledgeville, which closed late last year. The amendment was defeated on the floor before the Senate's budget, a substitute for House Bill 119, was approved 52 to 3 by the chamber.

The House and Senate quickly moved toward a conference committee to finalize the two chambers' differences. Hill will be joined by Senate President Pro Tem Tommie Williams (R-Lyons) and Senate Majority Leader Chip Rogers (R-Woodstock) in representing the Senate on the committee.

## Taxes

After passing the budget, the Senate moved on to discussing changes to tax allocation districts (TADs), a source of funding used for redevelopment projects typically focused on urban areas in need of an economic boost. Last November, voters approved a Constitutional Amendment that allows a portion of school property taxes to be used for TAD funding, which had previously been ruled unconstitutional. This legislation, under House Bill 63, once again makes those contributions legal. Schools currently have the ability to opt-in to TAD projects, but debate arose on the Senate Floor concerning an amendment that would allow schools to rescind their choice to opt-in only until the bill is

signed into law. This has created issues for Atlanta Public Schools, which may be forced to contribute to the expensive Beltline Project, and some Gainesville schools that were hoping to opt-out of an earlier agreement.

Sen. Vincent Fort (D-Atlanta) stood up as the main opponent against the bill. Fort believed the bill was aimed at helping more affluent areas, and not communities in need. After a closing argument by the bill's Senate sponsor, Sen. Don Balfour (R-Snellville), it passed with 48-6 votes.

Georgia families and schools will see tax relief with House Bill 120. Senate Majority Leader Chip Rogers (R-Woodstock) spoke on behalf of the bill that authorizes the annual sales tax holiday for school supplies set for July 30 through August 2, 2009, and energy efficient appliances set for October 1 through October 4, 2009. These sales tax holidays have become a popular shopping day across the state, helping people save money and energy. The bill passed with little opposition 47-3.

## Education

The Senate voted in favor of a bill to make any teacher salary raises subject to appropriations by the General Assembly after it was tabled on Monday. House Bill 243 eliminates the 10 percent salary increases for teachers who become nationally board certified. Teachers who already receive the bonus will continue to keep them at a lower rate, but newly certified teachers or those who leave a teaching position after March 1, 2009, will no longer receive the increase. Supporters of the bill have said the new version of the bill will save the state \$5 million. The bill was presented by Sen. Dan Weber (R-



*Sen. Balfour carries House TAD bill*

Dunwoody) who noted that the bill has the support of education groups such as the Professional Association of Georgia Educators.

Sen. Nan Orrock (D-Atlanta) took the well to show her distain for the bill. She noted the certification program encourages educators to continue to do their best and utilize their skills to benefit their students. "We want to show the people of Georgia that this body is committed to teachers," Orrock said. "We do not want to be the only state to turn its back on this wonderful program."

The bill passed in the Senate 31-23.

### Option for Embryo Adoption

The Senate overwhelmingly passed a bill to allow for the adoption of human embryos by a vote of 45-9. The bill (HB 388) was presented by Sen. David Shafer (R-Duluth). All embryos will receive a legal custodian that will hold the legal rights of the

embryo until a contract is produced for the embryo to be transferred to a parent.

Sen. Seth Harp (R-Midland) also took the well to show his support for the bill. "This bill is a step in the right direction. With this legislation, couples will have an easier time having children," said Harp.

### Water

The controversial House Bill 406 was presented by Sen. Ross Tolleson (R-Perry). The bill would provide an exception to any limitation on state financial assistance for drinking water projects if the project is created for drinking water supply reservoirs, with-draws, treatment or distribution. Tolleson and other supporters of the bill noted the desperate need to find a solution to Georgia's drought problems and a statewide reservoir program would go a long way in accomplishing that goal. Last year,



cities and counties were fighting over a very limited water supply. The bill caused some divide between South Fulton County and the City of Atlanta. Sen. Kasim Reed (D-Atlanta) urged the Senate to accept his amendment that would prohibit water being drawn from the Chattahoochee River.

"The city of Atlanta has spent \$2 million dollars to be compliant and improve our water and sewer system. The city wants to continue that investment and ensure its downstream neighbors that their water is clean," Reed said. His amendment failed by a 25-29 vote. Because this bill is a referendum that would go to Georgia's citizens for a vote, it required a two-thirds majority to pass. After the bill failed to get the requisite number of votes for passage, a motion was made to reconsider, and the bill now rests on the Rules calendar to be taken up Friday. □

## Rogers: Senate Passes Responsible, Balanced Budget

By Raegan Weber

ATLANTA (April 1, 2009) – Today the Georgia Senate passed a balanced budget for Fiscal Year 2010 budget which accomplishes several major revisions to the Governor's original proposed budget.

"When the temptation for most governments is to raise revenues through tax increases, Georgia has chosen to reduce our budget by \$2 billion. This budget passed by the Senate today recognizes the very difficult economic times we're in and is good government. We reduced the size of government making it more self-sufficient rather than relying on taxpayers to foot the bill," said Rogers.



The Senate's version of the budget provides funds to fully restore the 10 percent cut to Hospital Medicaid provider rates and the 6 percent cut to other providers who serve the Medicaid population, covers the \$140 million deficit faced by Medicaid in FY10, and provides \$2 million in funds for community health centers.

In terms of education, restores funds for School Nurses to \$29.1 million, restores \$7.2 million for the salaries increases for National Board Certification for Teachers, adds \$6 million for special needs scholarships, and adds \$1.8 million for charter systems and \$1.1 million to provide an additional 2,000 courses for Georgia Virtual Schools. Public safety's

budget adds \$6 million in additional funds for new beds for a private prison and restores funds for the Regional Crime Labs in Moultrie, Columbus and Summerville.

Areas of lager cuts and self-sufficiency include:

- The Department of Community Affairs and its attached agencies took a 48 percent cut
- Support agencies such as the Judicial Council took a 25 percent cut and Dept. of Administrative Services took a 57 percent cut
- State Purchasing, use P-Card and other revenue (Savings: \$3.3 million)
- Georgia Bureau of Investigation, budget asks them to charge more for criminal background checks provided to private companies (Savings: \$1,988,000) □

## Sales Tax Exemption for Construction of the Center for Civil and Human Rights Museum Passes in the Senate

By Jennifer Kitt

ATLANTA (April 1, 2009) –State Senator Kasim Reed (D-Atlanta) presented legislation in the Senate today, House Bill 349, to exempt sales taxes for goods used in the construction of the Center for Civil and Human Rights. The center, which will be constructed in Centennial Olympic Park, is expected to draw 650,000 visitors a year, create 1,150 jobs and add \$1.1 billion to Georgia's economy over the next 10 years.

"I am pleased that the General Assembly has supported the construction of this monumental center—one which will honor the struggles and achievements of civil and human rights movements," said Reed. "The Civil and Human Rights Center is going to have a positive economic impact on our state beyond its initial construction, bringing tourists to Atlanta and our great state for years to come."



The Center for Civil and Human Rights is scheduled to break ground this year, and will commemorate the contributions of Atlantans and Georgians to the historic struggle for African-American freedom and equality. Additionally, the museum will serve as a space for ongoing contributions to human rights struggles around the world.

The bill has passed the House and Senate, and will now go to the Governor for signature. For more information on the Center for Civil and Human Rights, please visit [www.cchrpartnership.org](http://www.cchrpartnership.org). □

## Property Owners Will Have Easier Assessments in the Future

### House Passes Rogers' Senate Bill 240

By Raegan Weber

ATLANTA (April 1, 2009) – This week the Georgia General Assembly voted in favor of property owners with the passage of Senate Bill 240. Senate Majority Leader Chip Rogers (R-Woodstock) sponsored the legislation which enables property owners to go directly into arbitration over property assessments rather than going through the regular lengthy government process.



"As a record number of property owners rush to gain a fair assess-

ment from their local government and lower their property taxes, many will get caught up in a nightmare of bureaucratic processes. The General Assembly has recognized property owners' need for relief during a tough economy and soon they will have more flexible options for resolving assessment disputes and achieving fair arbitration," said Rogers.

Today is the last day for property owners to file paperwork demonstrating that recent declines in the housing market have affected their property values. Property owners around the state are requesting anywhere from a 10-70 percent reduction in taxes based on their values. Counties are reporting a record number of assessments filed within the past 30 days alone. Gwinnett and DeKalb Counties have had over 22,000 returns filed. Clayton County, which normally gets a few

hundred returns filed, has reported over 3,800 as of last Friday. Rogers' legislation will put burden the government rather than the property owner to provide proof of fair market value.

"As government officials, we have a responsibility and duty to our citizens in protecting their best interests. The government needs to act in favor of property owners and reduce their tax burdens," said Rogers.

Current government processes force property owners to go through local assessment boards and 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. □

# An English-only Drivers License Test is Good Policy for Georgia Citizens



By Jack Murphy  
(R-Cumming)

**ATLANTA**  
(Apr. 1, 2009)  
— On April 1  
the *Atlanta*  
*Journal-Constitution*  
published an  
editorial criti-

cizing a bill that I authored, which would mandate that Georgia driver's license tests only be provided in English, as being detrimental to our state's ability to attract foreign investments and would create a hostile environment for immigrants coming to our state. I sponsored SB 67 as the Senate Public Safety Committee Chairman, which passed in both the Senate and House and is heading to the Governor's desk for his signature. Our state deserves safer roads and responsible drivers using them. This bill addresses that need and is truly a public safety issue only. It will in no way hinder Georgia's ability to attract new foreign businesses and residents.

Our nation was founded by immigrants and throughout the course of history the United States has welcomed immigrants from all over the globe with open arms. I am honored to live in a nation where people from all cultures and diversities share the freedoms and liberties that are offered no place else in the

world. I would never support much less sponsor any legislation that prevented the ability of any legal citizen to enjoy the American way of life in our state.

As Vice-Chairman of the Senate Economic Development Committee, I have worked tirelessly to ensure Georgia pursues and develops ways to stay competitive in the global marketplace. I am certain that SB 67 does not conflict with our state's mission to create jobs and promote economic growth. My good friend and Chairman of the Economic Development Committee Sen. Chip Pearson has joined me in sponsoring this legislation and neither he or I have heard from anyone in the economic development industry who is opposed to SB 67 or believe it will cause severe damage to our state's place in the global economy.

One of our significant accomplishments in creating new jobs and revenue to Georgia is the building of the new Kia Motors plant. As someone who is actively involved with economic development policy in our state, I understand the importance and the positive impact of having companies that bring thousands of jobs and potential growth. During the course of the drafting and work on SB 67, no one from the Kia plant has contacted me or

weighed in on the issue with any concerns or hesitations about this bill.

SB 67 is truly a public safety measure designed to keep our state's roads safer for our citizens. We need to provide motorists the security that their fellow drivers completely understand and abide by road signs and traffic signals. That is what this bill sets out to do. I am extremely grateful for the General Assembly's support in passing this good piece of legislation and I am looking forward to finding new ways to promote safety and well-being for the people of Georgia. □

## Editor's Note:

***A special Sine Die edition of the Upper Chamber Report will be published with a wrap-up of highlights from the 2009 session.***

# 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]*