

Upper Chamber Report

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TOP STORY

Brief Start to the Week, Senators Anticipate Debating TSPLOST Measure

By Kallarin Richards

The Senate held a brief session on Monday to start the week. Senator Jeff Mullis (R-Chickamauga) asked that the Senate not take up Senate Resolution 44, the Constitutional Amendment to the TSPLOST bill, as was originally scheduled. The enabling legislation was not available for placement on the calendar, and the Senator plans to present the two measures simultaneously. Sen. Mullis also had the honor of presenting the Chaplain of the Day, Dr. Stephen Anthony of



Peavine Baptist Church in Rock Spring. Dr. Anthony emphasized the importance of character in

our country's leaders and citizens during these trying economic times.

Senators were hard at work filing bills

as the day's first reader sheet reflected several important measures, including one aimed at stricter guidelines for food processing plants that was sponsored by Sen. John Bulloch (R-Ochlocknee) in response to the recent salmonella outbreak. Sen. Chip Rogers (R-Woodstock) filed legislation last Friday to increase statewide homestead exemptions from \$2000 to \$4000.

Continuing his efforts to bring statewide transportation reform to Georgia, Sen. Mullis filed a resolution urging the Department of Transportation to build a magnetic levitation, or MAGLEV, train connecting Hartsfield-Jackson International Airport in Atlanta to the Chattanooga Municipal Airport at Lovell Field.

Dubbed "The Plane Train," it will run along I-75. Sen. Mullis has said that this method of public transport will cost less than building another airport to serve north Georgia. The project would be funded using money raised through TSPLOST, which is expected to generate \$850 million a year for the metro Atlanta area alone.

Sen. Vincent Fort (D-Atlanta) took a moment to address the sub-prime mortgage downturn in Georgia, noting that changes the legislature made to the law in 2003 are in part responsible for the current situation. He is looking forward to the upcoming debate on several foreclosure bills that are expected to be introduced in the Senate, noting that it is critical for the legislature to quickly provide relief to homeowners who are suffering. Receiving calls from many of his constituents who are struggling to keep their homes, Sen. Fort encouraged his colleagues to listen to their local homeowners, rather than lobbyists, when considering the proposed foreclosure relief this session.

The Senate is expected to take up the TSPLOST bill on Tuesday, when the Chamber convenes at 10:00 a.m.

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Sen. Johnson's Voucher Bill Brings Greater Choice to Students & Parents

By Raegan Weber

ATLANTA (February 2, 2009) – State Senator Eric Johnson (R-Savannah) today introduced a voucher bill that provides parents with universal public and private school choice that will improve education in Georgia and will prepare our workforce for the global economy.

“Every parent in Georgia should have the freedom to choose the best school for their child,” said Johnson. “Education is the key to everything. If we allow existing funds to follow the child to the school which best meets their needs, our test scores and our ability to compete for jobs will improve.”

Georgia taxpayers already provide school choice to special needs students, prekindergarten students and college students through the HOPE scholarship. Johnson's bill would

now provide that same choice to all of Georgia's students. Three basic conditions will apply. First, the receiving school must agree to accept students under this universal voucher program. The parents must make all transportation arrangements, and the parents and students must sign a contract with the receiving school agreeing that if the child does not follow school rules, he or she may be returned back to their assigned public school.



The United States Supreme Court has recognized the fundamental right of a parent to determine the best education for their child. This bill gives every parent the opportunity to find the educational environment that will allow their child to excel.

“Georgia's graduation rates are still 49th in the nation, and our unemployment rate is well above the national average. Clearly, the old way of delivering education to our students is not working and we need to look at new ideas. The freedom to choose is good for students, good for teachers, good for parents, and good for business. Universal school choice is one tool in the toolbox to achieve a more educated Georgia and a stronger economy,” said Johnson. “The research is clear. Limited choice means limited benefits for students. Greater choice means greater benefits for all students, even for those who remain in their home public school.”

After this bill has been filed in the Senate today, it will be first read on the Senate floor this week where it will be assigned to committee. For questions regarding Sen. Johnson's voucher bill, Senate Bill 90, please contact his office at 404.656.5109. □

Education and Youth Committee Holds First Meeting of Session

By Ravae Graham

ATLANTA– (February 2, 2009) State Senator Dan Weber (R-Dunwoody) today called to order the first meeting of the Senate Education and Youth Committee at the Capitol. After the adoption of the committee rules, lawmakers reviewed legislation that would further protect Georgia's youth from sexual predators and ensure that Georgia's children are provided an opportunity to receive quality education.

Sen. John Douglas (R-Social Circle), former member of the Senate Education and Youth Committee, was in attendance at today's meeting to present Senate Bill

14, which restricts any person who is on the National Sex Offender Registry or the state sexual offender registry from being elected or serving on a local board of education. During the 2008 legislative session, Sen. Douglas strongly objected to the candidacy of Horace Don Gresham to the Newton County Board of Education, District 2. In 1988, Gresham was convicted of sodomy in DeKalb County involving a boy under the age of 14. In 1999, he was charged with public indecency in Newton County. In the most recent case, Gresham admitted his guilt and voluntarily completed a pretrial diversion program in lieu of prosecution. The committee unanimously passed SB 14.

The Committee meeting wrapped up by taking up education bill SB 60. Sponsored by Sen. Lester Jackson (D-Savannah), SB 60 gives local school boards the option of

determining the mandatory attendance age in a public school, which is currently 16. School boards would have the option of changing the age to 17 or 18. Parents may sign a waiver to allow a child to opt out of school between the ages of 16 to 18 and enroll them in community college or technical school.

“This legislation provides local control, parental control and ensures the youth of our state will obtain a quality education,” said Jackson. “Age 16 is too young to make a decision that will most definitely affect the rest of your life.”

President Jeff Hubbard of the Georgia Association of Educators (GAE) offered his support of the bill and additionally noted that the bill will improve Georgia's education and its citizenry. □

State Senator Judson Hill Authors Key Amendment to Protect TSPLOST Bill

By Matt Colvin

ATLANTA (January 30, 2009) – A leading Georgia State Senator has ensured that any transportation special-purpose local-option sales tax (TSPLOST) project could not be later nullified by bureaucrats. Georgia State Senator Judson Hill (R-Marietta), a member of the Senate Transportation Committee, successfully introduced an amendment to Senate Bill 39, the TSPLOST bill, which would guarantee the Georgia Regional Transportation Authority (GRTA) will not have any discretion to review or approve transportation projects funded by the TSPLOST. Senator Hill wants to assure Georgians that the road projects they choose to fund through a TSPLOST would be developed.

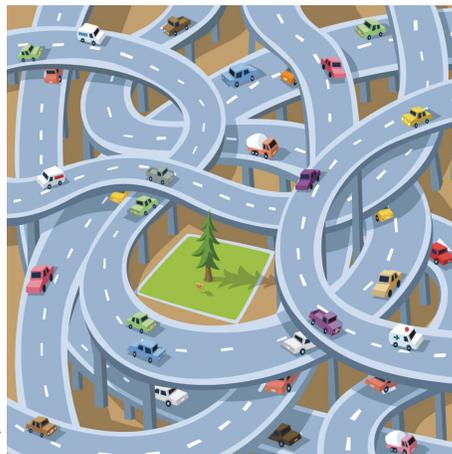
“My constituents in Fulton and Cobb County have waited long enough for us to create additional funding options to build needed roads and highways. For me to support the TSPLOST measure, we had to guarantee Georgians that they would not be taxed for new transportation projects which were never developed because bureaucrats independently nullified the project. We had to guarantee that if you vote for a new transportation sales tax then those roads will be built. It is unacceptable for a non-elected government body to have sole discretion to kill any transpor-

tation project that the voters approve.” said Senator Hill. “If Georgians want to continue attracting new businesses and create jobs, we must solve our current and future transportation funding needs.”

Currently, GRTA is required to approve the Atlanta Regional Commission's Transportation Improvement Program (TIP). The TIP represents the programming for funding and implementation of near-term projects adopted in the long-term Regional Transportation Plan (RTP). By Federal law, metropolitan TIPs must be approved by the Governor of the state or an agency the governor delegates that authority to; in Georgia's case responsibility has been assigned to GRTA. Senator Hill's amendment ensures that any TSPLOST short-term project in the metro Atlanta area can begin without GRTA approval. Senator Hill's state Senate District 32, which includes parts of Cobb and Fulton counties, would have been dependent upon GRTA approval, without his amendment.

Senator Hill says he is working to help get the TSPLOST bill passed

through the Senate quickly. TSPLOST would provide for a state referendum where voters could choose to fund transportation projects in the Atlanta area through a



one percent tax. The TSPLOST bill is estimated to generate up to \$850 million in funding each year for the metro Atlanta area and up to \$1.2 billion for the entire state. Senator Hill believes TSPLOST would offer greater choice and flexibility at the county level so that local government leaders and the regional voters can decide which transportation projects need funding the most. Should the bill pass in the legislature, a Constitutional Amendment question will be on the November 2010 ballot for Georgians to consider.

Senator Hill notes that Atlanta is the 2nd most congested city in the United States of America, and Georgia has lost Fortune 500 companies because of the congestion issue. SB 39 passed the Committee by unanimous consent and is now awaiting a Rules Committee vote before consideration on the Senate floor.

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HTRG vs Homestead Exemption

Eliminating the Homeowner Tax Relief Grant will not do away with the Homestead Exemption Act, which will not be impacted. Here's the bottom line difference between the two:

Homeowner Tax Relief Grant

The Basics:

The Homeowner Tax Relief Grant is a grant from the state to the counties and cities which pays a portion of their property tax. Generally, grants do not have to be funded every year and they typically provide some sort of assistance to an industry or individual. It's at the discretion of the legislature to appropriate those funds each year.

The Details:

In FY08 (and for the past few years) this has been \$8,000 per eligible homeowner. Counties and cities multiply their millage rate times this exemption to determine the credit due for eligible homeowners. Local governments submit claims to the Department of Revenue for reimbursement of the aggregate amount of all credits.

- Local governments will have their property tax digest sent to the Department of Revenue for approval by August 1st. This is the Department of Revenue deadline, but some jurisdictions may be earlier or may not meet the deadline.
- Once the department has certified the property tax digest, counties will bill taxpayers.
- After billing, counties will "certify" to the Department of Revenue that they have billed taxpayers based on an expected amount of HTRG that they will receive from the state.
- According to regulation, but not law, the Department has 60 days to reimburse local governments for this amount once the county or other taxing jurisdiction sends in its "certification".
- Homeowners see this money as a credit on their property tax bill along with the statutorily required notice.

Homestead Exemption Act

The Basics:

The Homestead Exemption Act is a current law that helps pay for a portion of property taxes. It is guaranteed should you meet all of the requirements. The Homestead Exemption Act affects property values and property taxes and is designed to protect the value of the homes of residents from property taxes, creditors, and circumstances arising from the death of the homeowner's spouse.

The Details:

Homestead Exemption is designed to protect the value of the homes of residents from property taxes, creditors, and circumstances arising from the death of the homeowner spouse.

Homestead exemption laws typically have three primary features:

1. They prevent the forced sale of a home to meet the demands of creditors.
2. They provide the surviving spouse with shelter.
3. They provide an exemption from property taxes which can be applied to a home.

- On a state level, the exemption collects 2% local property tax digest and provides exemptions for mainly senior citizens generally for a small amount. On a local level, the exemption varies for who it applies for from anything from senior citizens to fire fighters.

Year	Appropriation
2000	\$ 83,000,000
2001	\$166,000,000
2002	\$249,000,000
2003	\$353,000,000
2004	\$380,000,000
2005	\$380,000,000
2006	\$432,290,501
2007	\$432,290,501
2008	\$428,290,501



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]*