

# Senators Fight for Constituents' Concerns

By Hayley Howell

Day 14 of this year's Senate Legislative Session witnessed the passage of Senator Ralph Hudgens' (R- Hull) Senate Bill 61, which establishes regulations for life settlement contracts, specifically setting up guidelines for the sale of an unneeded life insurance policy. The bill passed with 100 percent of the Senate's support.

Sen. Gail Buckner (D- Morrow) took the well to ardently profess her support and the need for educational outdoor therapeutic programs. She noted that there is the threat of a budget cut to the mental health division of the outdoor therapeutic programs that are located near Cleveland and in Warm Springs.

"These facilities are not in my district, but I have gotten to know the kids that go to the programs and benefit from them," Sen. Buckner said. "Their involvement is important because the young people who attend are the kids whose needs typically cannot be met in a traditional classroom. They are the kids who skip school, are in juvenile court, or are disruptive when they

are in school. We must meet their needs."



Sen. Buckner informed the Senate that on average, children who attend these programs progress two months forward for every month they are involved.

"This cut is very unwise, because most of the children who attend these programs will have to go into foster care," Buckner expressed. "We already have a difficult time placing children with issues. Let's not do things that have long term consequences."

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Editor's Note: *Apology to Senators Valenica Seay and Horacena Tate*

On behalf of the Senate Press Office, I would like to personally apologize for an error that I included in the Day 11 *Upper Chamber Report* article "Women's Heart Disease Awareness, Honoring Local WWII Veteran Focus of Senate Day 10." I incorrectly cited Senator Horacena Tate in the article when in fact Senator Valenica Seay took the well to address her support of Go Red for Women Day on Friday, February 6<sup>th</sup> at the Capitol. I would like to personally apologize to Senator Tate for any confusion this may have caused and especially to Senator Seay who regrettably did not get the credit in the article that she deserved for her hard work and dedication to a cause that she has been personally affected by in recent years. I sincerely regret the error and any negative effects it may have caused. My fellow Press Office staff worked extremely hard to produce this daily report and I hope my personal error will not reflect poorly on what they do here at the State Senate.

- Matt Colvin



# Upper Chamber Report

FEBRUARY 5, 2009 — DAY 14

Raegan Weber, Press Director  
Kallarin Richards, Editor in Chief

Sen. Vincent Fort (D-Atlanta) passionately took the well to continue the long-standing discussion on the subprime and predatory lending issue. Fort informed the Senate that home foreclosures are setting records across the state and that problems are still unfolding.

Fort explained that he still gets numerous phone calls from his constitu-

ents about foreclosure problems. He told the story of a woman who contacted him about her house payment loans that she received from her local Wachovia branch, which now refuses to help her with payment.

“These are the same people who received taxpayer bailout money in a total of \$25 billion. They are the same people who are out in the lobby tell-

ing us to lie low and not make any big decisions,” Fort vehemently professed. “This is not the time for caution or tepid measures that will do nothing. Some will tell us to listen to the banking industry, but they are the ones who got us into this mess, and if we listen then we are also at fault. The time has come to stand up and do something for the constituents. This is not an Atlanta problem, this is a Georgia problem.” □

## **TRANSPORTATION COMMITTEE PASSES BILLS ON PLANES, TRAINS AND “PLAIN TRAINS”**

By Raegan Weber

**ATLANTA** (February 5, 2009) – The Senate Transportation Committee chaired by Senator Jeff Mullis (R-Chickamauga) passed the Georgia Rail Passenger Authority and the Georgia Aviation Authority Act bills as well as the Plain Train resolution during an efficiently run committee meeting on Wednesday at the Capitol.

Many residents in North Georgia and visitors to the State have expressed complaints that Hartsfield-Jackson Airport is too far away to service their needs. Sen. Mullis, along with his colleagues Senator Doug Stoner (D-Smyrna), Senator Valencia Seay (D-Riverdale), Senator Cecil Staton (R-Macon), and Senator Kasim Reed (D-Atlanta), has offered the solution of “The Plain Train” through Senate Resolution 117. The Resolution urges the Georgia Department of Transportation (GDOT) to support a magnetic levitating, or maglev, train connecting Hartsfield-Jackson Airport in Atlanta along Interstate 75 with the Chattanooga Municipal Airport. The GDOT is urged to report its progress on the project to the General Assembly by September 30, 2009.

A maglev train is a form of transpor-

tation that levitates, guides, and propels vehicles using electromagnetic force. This method of transportation is much faster than wheeled mass transit systems, potentially reaching velocities comparable to turboprop and jet aircraft. China has had its own maglev transit since 2000, called the Shanghai Maglev Train. The Shanghai Transrapid Maglev Line is the world's first high-speed commercial commuter system, which can reach speeds of up to 300 miles per hour using state-of-the-art electromagnetic levitation technology. Mullis’ resolution seeks to establish this same state-of-the-art technology in Georgia. The resolution passed with an overwhelming majority in committee.

Another solution to Georgia’s transportation woes that many State government and legislative officials are considering is rebuilding the commuter rail system. The commuter rail system has been neglected over the years due to the move toward roadways and metro rail systems. The Georgia Rail Passenger Authority (GRPA) Bill, Senate Bill 51, is authored by Sen. Stoner and gives GRPA the authority to develop the proper administrative infrastructure to operate prior to funds being allocated for the reestablishment of the commuter rail system. The bill passed

with bi-partisan support through the committee.



Senator Bill Heath (R- Bremen) reintroduced Senate Bill 85 which would create the Georgia Aviation Authority (Authority). This bill was introduced during the 2008 Legislative Session, passed through the Senate, but got stuck in committee in the House. The purpose of the Authority is to manage all state aviation assets under one governing authority, provide aviation services for the entire state, and oversee all state aviation operations. The Authority’s goals are to efficiently operate the state’s fleet of aircraft, ensure state aviation safety, and advance policy through aviation missions. It was made clear that emergency services would always take top priority over any other government functions. The bill passed with majority support of the Transportation Committee.

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## **Senate Banking & Financial Institutions Committee Holds Public Hearing on Fair Lending Act Revisions**

By Matt Colvin

ATLANTA (February 5, 2009) – Georgia State Senator Bill Hamrick (R – Carrollton) chaired a public hearing for Senate Bill 57, which would revise certain Georgia Fair Lending Act policies on mortgages, during the Senate Banking and Financial Institutions Committee Wednesday at the Capitol. The committee heard testimony from several interested parties for SB 57, which was authored by Chairman Hamrick to help address current and future foreclosure issues that Georgia is currently dealing with. Sen. Hamrick mentioned that SB 57 targets revising the code on two mortgage loans that have caused

massive amounts of foreclosures and decreasing home values: the option adjustable rate mortgage (ARM) and subprime credit loans. He stated during the meeting that this measure is aimed at properly defining these two loan structures and setting standards for how lenders can operate under those categories. Sen. Hamrick believes that the Federal government has left it up to the states to regulate non-bank loans and lawmakers have responsibility to help regulate in order to keep foreclosures down and stabilize the housing markets.

The committee spent time listening to input from agencies and state officials on determining the language and conditions the bill would create. Representatives from Atlanta Legal Aid and State Sen. Vincent Fort (D-Atlanta)

urged the committee to consider adding legislation that would allow bank trustees in charge of bad loans to be held accountable in addition to the mortgage lenders.

SB 57, as well as an alternate version, SB 54 authored by Sen. Steve Thompson (D-Marietta), will be considered and taken up for a vote at a future committee meeting yet to be determined.

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## **Joint Lottery Oversight Committee Closely Examines Money Going to Education**

By Kallarin Richards

ATLANTA (February 5, 2009) – The Joint Lottery Oversight Committee, co-chaired by Senator Chip Pearson (R-Dawsonville) and Representative Roger Williams (R-Dalton), convened for its annual meeting with the Georgia Lottery Corporation. Legislators took a hard look at the proceeds being returned to education, which funds the HOPE scholarship and pre-kindergarten programs.

While the corporation reported positive sales and revenue numbers for the fiscal year, several committee members raised con-

cerns about the amount of money being returned to education. The lottery has returned \$421 million to education for the first half of FY 2009, a decrease in the amount returned for the same period last year. The percentage of ticket sales transferred to the state for education has steadily decreased over the past 13 years, causing the lottery to not meet its statutory goal of transferring 35 percent of its ticket sales. In 2008, the lottery contributed only 24.7 percent of gross ticket sales to education.

President Margaret DeFrancisco reported that despite the declining economy, lottery sales continue to increase. Revenue estimates are still about 3 percent ahead of last year. She also noted that Georgia

is ranked fourth as the most profitable lottery in the nation. Lawmakers pointed out that if the economy continues to see a downturn, the lottery could see their expenses exceed revenue, as costs for the HOPE increase and more students enroll in the university system.

Questions were also raised about the lottery's consideration of installing video lottery terminals in Underground Atlanta, which could raise millions of dollars. While Georgia prohibits any kind of casino gambling, there is confusion over whether the lottery can legally install such equipment. The lottery board said it is thoroughly examining the proposal.

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## Education & Youth Committee Hears Update on Career Academies

By Ravae Graham

Senate Education and Youth Committee Chairman Dan Weber (R-Dunwoody) co-chaired a joint legislative panel with his House counterparts to hear an update on the status of the Career Academy Initiative in Georgia. During the meeting, the panel heard presentations from three Career Academies: Floyd Charter College and Career Academy, Hapeville Charter Career Academy and Southeastern Early College and Career Academy.

College Career Academies are part-

### CAREER ACADEMIES

#### Existing

- Central Education Center
- Rockdale Career Academy
- Tech High
- Walton Career Academy
- Whitfield Career Academy
- Floyd County College & Career Academy
- Effingham Gateway to College Academy
- Savannah Gateway to College Academy

#### Proposed

- Warren County Career Academy
- Athens Community Career Academy
- Douglas County College & Career Academy
- Houston County Career Academy
- Carroll County College & Career Academy
- Southeastern Early College & Career Academy
- Habersham Career Academy
- Lanier Charter Career Academy
- Effingham Career Academy
- Golden Isles Career Academy
- Hapeville Charter Career Academy
- P.R.E.P. Academy

nerships between the business community and local technical colleges, where students are trained to obtain well-paying, secure jobs in the local community.

Hapeville Charter Middle School Director Dr. Gary Martin informed the panel that every student attending high school does not need to be trained to attend a four year university. He noted that career academies don't choose the kids, the kid chooses the school. Career academies are subject to open enrollment just like any public school in the state. The Hapeville Charter Career Academy will kick off in August 2009 teaching only 9<sup>th</sup> graders and will continue to introduce another grade level each subsequent year.

There are currently 20 career academies in Georgia. Eight are educating students today and 12 are set to open their doors in the upcoming school year.

The institute for a Competitive Workforce of the U.S. Chamber of Commerce recently noted that, "90 percent of the fastest growing jobs and over 60 percent of all new jobs will require some postsecondary education or training, but not necessarily a bachelor's degree. A new system with

more integration of Career Technical Education and core academic courses will be necessary to adequately prepare student for the challenges of their postsecondary training programs." □

## Regulated Industries & Utilities Pass Georgia Power Bill

By Ravae Graham

Under the leadership of Chairman David Shafer (R-Duluth), the Senate Regulated Industries and Utilities Committee convened Wednesday to continue their hearing and vote on a bill to change the way Georgia Power bills its customers to recover the construction cost of a nuclear generating plant.

"The math is simple, we need to pay things off as we go along, not at the end," said the bill's author, Senator Don Balfour (R-Snellville).

Sen. Balfour explained that under Senate Bill 31, a homeowner whose monthly bill averages \$100 will see an increase of \$1.11 per month, or 1.3 percent, beginning in January 2011. If payments do not begin until after construction is completed, customers could see an increase of up to six percent in their monthly bills. Allowing for the early recovery of the interest costs would shave about \$300 million off the total price.

Oscar Harper, the vice president of government and regulatory affairs for Georgia Power, discussed the importance of taking the necessary steps now to implement nuclear energy in the future. Harper noted

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that Georgia Power is doing this in the best interest of its customers and is not about shifting the risk of the company to them. Customers will save an estimated \$6.5 billion by 2016 through the use of nuclear energy.

Georgia Power operates the nuclear-powered Plant Vogtle with three other power companies that are not regulated by the Public Service Commission. Georgia Power's share of the \$14 billion expansion price tag is \$6.4 billion. \$2 billion of that total is interest. The entire southeast region currently has legislation

similar to SB 31 except Georgia and Alabama.

The committee passed SB 31 by a vote of 8 to 2, which now goes to the Rules Committee to be scheduled for a vote on the Senate floor. □

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## Higher Education Committee Passes Key Legislation for Georgia's Nursing Shortage

By Hayley Howell

ATLANTA (February 5, 2009)—The Higher Education Committee, chaired by Senator Seth Harp (R- Midland), favorably passed three pieces of legislation including Senate Resolution 96, Senate Bill 45, and the highly discussed SB 49 which is vital legislation for helping Georgia's current shortage of certified nurses.

Sen. Johnny Grant (R- Milledgeville) began by proposing SR 96 which urges the Board of Trustees and the president of the Georgia Military College to maintain the school's current military program. It would also designate the Georgia Military College as the State of Georgia's Military Junior College. The resolution passed unanimously.

Les Schneider of Devry, Inc. presented SB 45, sponsored by Sen. Harp, which specifies requirements for a nursing education program to be approved by the Georgia Board of Nursing or the Georgia Board of Examiners of Licensed Practical Nurses for purposes of licensing or recognizing advanced practice registered nurses, licensed registered professional nurses, or licensed practical nurses. The bill passed with 100 percent of the votes.

Sen. Harp's controversial SB 49, or the Georgia Registered Professional Nurse Practice Act, was presented by Sen. Lee Hawkins (R- Gainesville). To be licensed as a registered nurse under the current law, an applicant must graduate from a nursing education program approved by the Georgia Board of Nursing (the board) or a program meeting criteria similar to, and no less stringent than, those established by the board. The act provides that a program will meet this requirement if the program:

- Is part of an out-of-state institution approved by the appropriate regulatory authorities of its home state
- Holds regional and specialty accreditation by a Federally recognized accrediting body or bodies
- Requires program applicants to be a licensed practical/ vocational nurse, military service corpsman, or a paramedic or hold a degree on a clinically oriented health care field
- Requires its students to pass faculty-determined program outcome at a rate equivalent to the completion rate for students of approved programs in Georgia.

The bill also removes a current provision requiring a nurse applicant to meet other criteria set by the Georgia Board of Nursing in addition to criteria specified by statute.

This act strongly affects Georgia's Excelsior College, which in July of last year, the Georgia Board of Nursing decided to no longer license. It hurts the 1,100 students who are currently enrolled at the college. Laurie Nagelsmith, assistant dean of nursing for Excelsior, reminded the committee that the college is accredited by the National League for Nursing Accrediting Commission and has received its second designation as a Center of Excellence in Nursing Education 2008-2011 from the National League for Nursing.

"The board has applied traditional standards to a non-traditional system. Our program is different in methodology, but we focus on the same outcome—to provide competent nurses and safe care," reminded Nagelsmith. "We have thirty-six thousand practicing nurses with our degree throughout the country, and they have only shown competency."

All other agencies supported the bill including the Georgia Health Care Association, Northeast Georgia Medical Center, and Georgia Nurses Association. Cindy R. Balkstra, president of the Georgia Nurses Association, provided ardent support for the bill and for Excelsior College.

"Georgia is one of the top ten states with a nursing shortage, and we need to address this problem," Balkstra affirmed. "The Georgia Nurses Association only supports high quality nursing programs, and without a doubt, I would have an Excelsior student take care of me."

The Georgia Board of Nursing fervently declared their opposition to the bill. They believed the Excelsior program was insufficient, because they did not provide hands-on training. Linda Herron, ex-president of the board, passionately explained that they were only trying to protect the public before any missteps occurred from what they deem as "inadequate" graduates. They also opposed the removal of their criteria requirements in the process of nurse certification.

"This bill will totally destroy all education rules of the board, and we cannot compromise our standards," Herron insisted. "We understand the argument that there is no proof these graduates are unsafe, but everyday incompetency is not seen by the board."

"There is nothing you have presented that is a problem that needs fixing," rebutted Senator Nan Orrock (D- Atlanta) to the board. "There are no signs that these students are unsafe."

The committee passed the bill unanimously, and it is now sent to the Senate Rules Committee. □

# 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]*