

Secret Ballots Finish Off the Week

By Ravae Graham

CHAMBER (Feb. 26, 2009) — On the Senate Floor today, spirited debate was held over Sen. Preston Smith’s (R-Rome) Senate Resolution 49 urging the U.S. Congress to oppose any efforts to adopt the Employee Free Choice Act (EFCA). Smith described the intimidation and pressure employees can experience with card checks if the secret ballot was taken away. He further emphasized secret ballots protect both sides – employees and management.

If EFCA becomes federal

law it would forego secret ballot union votes and implement a practice commonly known as “card check.” Card check is where workers are encouraged to sign a membership card which then serves as a favorable vote for unionizing. Once a union organizer has enough cards signed by the majority of workers, an employer is required to recognize all employees as a



Sen. Smith emphasizes the need for secret ballots

union. Some Senate Democrats raised concerns over the legislation taking away the ability of workers to form unions, because they believe unions will help restore the middle class.

Senators also questioned the clarity of what EFCA actually does.

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Key Bills and Resolutions Introduced in the Senate

- **Senate Bill 209** limits a pharmacist from substituting a drug as part of immunosuppressive therapy.

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- **Senate Bill 210** includes home schooled students among those students eligible to participate in the student honors program.
- **Senate Bill 211** exempts certain purchases from having to go through the Department of Administrative Services.
- **Senate Bill 212** provides standards for motor common or contract carriers transporting railroad employees.
- **Senate Bill 213** relates to general provisions relative to torts so as to specify manufacturer liability in certain cases.
- **Senate Bill 214** provides that certain persons employed as county jail officers shall be eligible for membership in the Peace Officers’ Annuity and Benefit Fund, provides for creditable service for prior service as a county jail officer, and provides for the payment of employer contributions with interest thereon.
- **Senate Resolution 406** urges educational agencies, associations, boards, and commissions involved in the accreditation process for school systems in grades K-12 to adopt policies and

procedures that permit a fair opportunity for school systems to submit necessary documentation.



Upper Chamber Report

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Raegan Weber, Press Director
Kallarin Richards, Editor in Chief

TOP STORY, cont'd

Sen. Vincent Fort (D-Atlanta) rose to ardently oppose and express disdain for the resolution. He believes EFCA is not about secret ballots, but whether workers have the choice to form unions. Fort explained that with the unemployment rate reaching a high of 8.6 percent in Georgia, the Senate should be more concerned about the people in their districts and feels this is a prime example of misplaced priorities. The resolution was adopted by a vote of 34 to 18.

A bill placing restrictions on outdoor advertising also took center stage in the Chamber. Senate Bill 164, authored by Sen. Don Balfour (R-Snellville), provides additional restrictions by prohibiting outdoor signs that exceed 75 feet in height (excluding pre-existing signs). Additionally, the bill requires an outdoor advertising permit holder to submit a vegetation fee of \$4,000, minus the costs associated with acquiring, installing, and maintaining replacement landscaping. Replacement landscaping will require the planting of trees from a list approved by DOT in a ratio of 22 trees for each site a vegetation removal permit is granted on the right of way.

Sen. Seth Harp (R-Midland) took the well to strongly voice his concern with the bill. He noted that he was in support of the amendments he authored, but could not support the bill as a whole because the measure would take authority from local governments.

Balfour and Sen. Steve Thompson (D-Marietta) closed the debate by reassuring members of the Senate that it was a good bill and it would save trees. The bill passed by a vote of 41 to 7.

On behalf of Sen. Renee Unterman (R-Buford), Sen. Eric Johnson (R-Savannah) presented Senate Bill 69, which changes the Georgia code to allow any person found responsible for the sexual exploitation of a minor in prostitution to be charged. Currently the law only allows for a parent or primary caretaker to be charged with a crime. This measure is part of a legislative package aimed at combating the increasingly widespread prostitution of young boys and girls in Atlanta and all over Georgia. It passed with a unanimous vote of 48 to 0.

In an effort to strengthen trauma care in Georgia, Sen. Cecil Staton (R-Macon) presented Senate Bill 156. The legislation revises the duties of the Georgia Trauma Care Network Commission and the State Office of EMS/Trauma; clarifies the definitions of readiness, uncompensated care, and trauma network; specifies priorities for distributing funds and abolishes the Trauma Trust Fund. Additionally, SB 156 clearly specifies how the Commission can allocate funds, and it will be required to report everything to the Governor and the General Assembly. SB 156 was unanimously passed by a vote of 49 to 0.

Other bills that sailed out of the Senate with no opposition included Sen. George Hooks' (D-Americus) Senate Bill 70, which requires businesses to report campaign contributions to the State Ethics Commission within two business days. It passed with a unanimous 50 to 0 vote. Sen. Greg Goggans (R-Douglas) presented SB 165 which authorizes the Department of Community Health (DCH) to obtain income eligibility for Medicaid and PeachCare applicants. The bill passed by a vote 48 to 0.

To encourage cost-effective and faster clean-up of the environment, Sen. Ross Tolleson (R-Perry) authored Senate Bill 78, known as the Georgia Voluntary Remediation Program Act. The Voluntary Remediation Program expands the Hazardous Site Response Act and implements a voluntary clean-up program for hazardous wastes, constituents or substances from the environment. In order to enroll in the voluntary program, an applicant must submit a plan and an application fee of \$5,000 to the Environmental Protection Division. It passed by a vote of 45 to 2.



Sen. Staton advocates for better trauma care in Georgia

Sen. Jack Murphy (R-Cumming) proposed Senate Bill 68 that closes a loop hole in Georgia law prohibiting the sale of alcohol within 100 yards of any housing authority. Although Murphy noted the bill was supported by the

Housing Authority, Sen. Emanuel Jones (D-Decatur) rose to speak in opposition of the legislation due to his concern the Senate was sending the wrong message. Murphy closed the debate by asserting passage of SB 68 would encourage redevelopment and enhance communities. It passed by a vote of 32 to 14.

Members of the Senate concluded today by passing House Bill 233. Majority Leader Chip Rogers (R-Woodstock) presented the bill which adds a real property value assessment cap to the ad valorem taxes on property. It further provides for any increase not to exceed three percent from one year to the next. HB 233 passed by a majority vote of 42 to 5.

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Key Bills and Resolutions, cont'd

- **Senate Resolution 422** requests that the board of directors of the Georgia Lottery Corporation develop methods to increase funding available for the Georgia HOPE scholarship program through its lottery revenue and that it provide the Senate with a report if its suggestions and findings.
- **Senate Resolution 427** proposes an amendment to the Constitution so as to authorize the governing authority of any county or municipality, subject to referendum approval, to exempt from ad valorem taxation, in whole or in part, up to \$250,000 of the value of a homestead owned solely or jointly by a teacher, a firefighter, or a law enforcement officer.

Sen. Harbison Urges Congressional Delegation to Fund Statewide First Responder System

By Ravae Graham

ATLANTA (Feb. 26, 2009) – State Sen. Ed Harbison (D-Columbus) is requesting that the Georgia Congressional Delegation use a portion of the funds from President Barack Obama's stimulus bill to assist with the creation and operation of a statewide first responder building mapping information system. The statewide system was established through Senate Bill 33, which passed in the Georgia General Assembly in 2008. Through the implementation of the system, state and local governments would be better prepared to respond to disasters, criminal behavior and acts of terrorism.

“There is always a significant amount of danger present when first responders such as our police offi-

cers and firefighters have to evacuate or secure a building,” said Sen. Harbison. “It is vital that we fully fund the building mapping information system to provide first responders with information they need to be successful when disaster strikes.”

Building mapping provides electronic blueprints of a building describing every room, along with its dimensions. The maps are designed to give an emergency responder as much information about the physical structure of the building as possible. Building map information can include floor plans, fire protection information, evacuation plans, utility information, known hazards and images showing emergency personnel contact information.

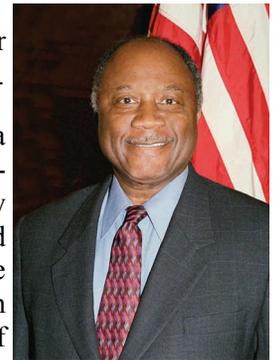
The American Recovery and Reinvestment Act of 2009 has allocated an estimated \$50 million to aid Georgia with State and Local Emergency Assistance Programs, Aviation Security Funds and Emergency

Food and Shelter for the Homeless.

The Georgia Emergency Management Agency (GEMA) would be responsible for the creation and operation of the statewide building mapping information system. Once the system is operational, GEMA will make the information available electronically to all state, local and federal law enforcement agencies, public fire departments, and the Georgia Department of Defense. Any private entity, federal agency, or state and local governments electing to participate in the building mapping information system will forward their data to GEMA.

For more information on Senate Bill 33, please visit www.senate.ga.gov.

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Senate Judiciary Committee Votes to Expand Agritourism and Help Increase Drug Court Funding

By Kallarin Richards

CLOB 307 (Feb. 26, 2009) – The Senate Judiciary Committee today passed a bill to limit civil liability for landowners that open their property for agritourism recreation allow people to hunt and fish on their

land. Agritourism is a profitable industry in Georgia, and the bill encourages more landowners to allow hunters and fishers on their property without the fear of being sued for accidents. Under Senate Bill 75, authored by Sen. Bill Heath (R-Bremen), landowners are required to post warning signs on their property, and participants must sign a waiver.

Chairman Preston Smith (R-Rome) then presented Senate Bill 112 that expands the number of drug offenses entitled to additional fines. The underlying purpose of the bill is to direct these funds into each county's Drug Abuse Treatment and Education Fund, helping counties self-fund their drug courts. Both bills passed unanimously and now head to the Senate Rules Committee for a floor vote.

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In Committee News...

Natural Resources Passes Meth Clean-up Bill, Other Measures Aimed at Protecting the Environment

By Raegan Weber & Ravae Graham

CAP 450 (Feb. 26, 2009) –The Natural Resources and the Environment Committee met twice this week and took up four bills and one resolution. Most notable this week was the passage of Sen. John Douglas' (R-Social Circle) Clean-up Methamphetamine Lab Sites bill (SB 15). After two weeks and three meetings of deliberation and compromise, the bill passed in committee with a 5-2 vote.

SB 15 allows a county department of health to quarantine any real property where the manufacture of methamphetamine is occurring or has occurred after notice by the local law enforcement. Previously committee members had applauded Douglas' effort to greatly reduce the production and use of Methamphetamines, but also expressed their concern for the delicate balance of the rights of the property owner and public safety.

Douglas worked with committee members to find that balance. Under the amended bill, property owners have the ability to conduct additional tests for contaminants at their own expense. Additional provisions were adjusted in order for the timing of testing and to allow the property owner for proper defense rather than the assumption of guilt.

Sen. Chip Pearson (R-Dawsonville) authored and introduced a resolution urging the U.S. Fish and Wildlife Service to conduct further sci-

entific review within the Etowah

River Basin by performing the mandatory five-year status update. The Etowah Aquatic Habitat Conservation Plan (HCP) is an effort by the University of Georgia River Basin Center requesting participation of local governments in the Etowah River Basin area to establish development regulations across eight counties and 13 municipalities covering approximately one million acres.

Since 2002, these regulations, probably the most stringent in the United States for a metropolitan area, have been developed under the guise of protecting three federally-listed fish species: the Etowah Darter; the Cherokee Darter; and the Amber Darter, each of which was added to the endangered species list after limited initial research, and which are believed to exist in greater numbers now, in spite of concurrent human activity in the basin.

Pearson urged the committee to pass the resolution due to the cost of maintaining the area, which may no longer be necessary. It costs approximately \$5,000 per acre to maintain this habitat. With the total acreage being 1 million acres, Pearson noted the hefty price tag. When the HCP was originally established, the U.S. Fish and Wildlife Serviced noted that there were endangered aquatic species. That may no longer be the case and Pearson would like the Federal government to fulfill their five-year obligation. The resolution passed.

On Thursday, the committee wrapped up deliberations for the

week by taking up two bills and a resolution.

Pearson came before the committee again to present Senate Bill 155 which provides exceptions for the use of stream buffers. Current law requires that a 25 foot buffer be used along the banks of all state waters. This legislation exempts



ephemeral streams, which are defined as streams with water flowing only for a short amount of time after precipitation has occurred, a channel located above the

ground-water table year around, ground water that is not a source of water or runoff from rainfall that is a primary source of water flow. The bill was passed.

The committee wrapped up by unanimously passing Senate Bill 198 by Sen. Ross Tolleson (R-Perry) and Sen. J.B. Powell's (D-Blythe) Senate Resolution 333. SB 198 allows the director of the Environmental Protection Division (EPD) to use administrative fees collected from emission inspections to cover costs associated with Clean Air Act compliance. SR 333 designates the barn located on the Di-Lane Plantation Wildlife Management Area near Waynesboro as the Lamar Mobley Memorial Barn to honor the memory of the late Lamar Mobley. Mr. Mobley traveled throughout the country attending trials as the vice president for the Georgia Field Trial Association and served as a proud ambassador for Burke County.

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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]*