

Weekly Report

Week of January 25-28: Day 5-8

In the Chamber...

The Senate reconvened this week after recessing to conduct budget hearings. Upon the release of the governor's budget recommendations, agency heads traveled to the State Capitol to present their spending plans for the remainder of Fiscal Year 2010, which ends June 30, and for Fiscal Year 2011. The governor has proposed a \$15.5 billion spending plan in state general funds for the rest of FY10, which is a more than \$1.4 billion reduction from the original FY10 budget and puts the state back at revenue levels from 2005. The state's population has grown by over half a million since then. Right now, the FY11 budget stands at \$16.8 billion.

The senate also passed the first bill of the 2010 session this week. Sen. Bill Heath's (R- Bremen) Senate Bill 306 makes it legal to use a hands-free communication device, such as a Bluetooth, to communicate while operating a motor vehicle. SB 306 was the product a letter that Sen. Heath received from a constituent in the fall that had been ticketed for using a Bluetooth Device. The constituent was cited with a violation although he was trying to be a safe driver and use a hands free device.



Sen. Bill Heath speaks on SB306

Lt. Governor Casey Cagle and the Senate welcomed back 20 former state senators to the chamber floor this week. The list of those past senators in attendance was nothing short of a "Who's Who" of present and past political heavyweights, all with a gracious heart and humble spirit to be greeted with a remarkable gesture of respect and gratitude. Lt. Gov. Cagle led the proceedings, and touted that practically every top position in Georgia politics is currently held by a former state senator.

House Speaker and former senator David Ralston (R-Blue Ridge) was formally invited to the Senate Rostrum by Cagle and presented with a resolution written by Sen. Jeff Mullis (R-Chickamauga), honoring his election to the speakership and his work as an elected official.

He was led to the podium by Mullis and Senators Chip Pearson (R-Dawsonville) and George Hooks (D-Americus), who spent time praising Ralston as a man of strong leadership abilities and moral fiber.

Cagle called it a very special day in the Senate and was extremely proud of having a speaker with the character of Ralston, whom he helped campaign for state attorney general in 1998. Cagle praised Ralston's efforts to create a spirit of cooperation and solidarity with the Senate and said he is looking forward to working hand-in-hand with the new House leadership to tackle the tough issues Georgia is currently facing.

Ralston took a brief moment to thank the Senate and show his appreciation for the morning's event. Ralston mentioned that he is committed to working with the Senate on a respectful and civil level to make sure that things can get done efficiently and productively. He also touted the new era in the House and that he is leading the way to promote a more open and transparent process that allows all voices to be heard.

The Senate also welcomed Atlanta Mayor, and former Senator, Kasim Reed this week. The Senate honored Mayor Reed with a Resolution to commend his past achievements and present position as Atlanta City Mayor.

Sen. Donzella James (D-College Park) introduced Mayor Reed and lauded him for his great achievements at such a young age. Reed then took the podium to speak about his fond memories in the Senate and his current job just steps away from the State Capitol. He thanked his former colleagues for their unending support and pledged to shorten the distance between city and state government. Reed attributed his success to his relationships in both the house and senate and likened his feelings to an old African proverb "if you want to go fast go alone, if you want to go far go with others." He challenged his former colleagues to work through the tough issues together, to turn to one another and solve problems side by side and shoulder by shoulder. Lastly, Sen. Valencia Seay (D- Riverdale) took the podium and concluded by reminiscing about her time as a suite mate with Mayor Reed- even remarking the Mayor's good looks.



Right: Atlanta Mayor Kasim Reed Greets Senate

Lt. Gov. Cagle took time to honor the following past senators in addition to those above: U.S. Congressman Nathan Deal (R-GA), Georgia Secretary of State Brian Kemp, and Georgia Department of Community Affairs Commissioner Mike Beatty.

Judge Quillian Baldwin, Judge Steve Farrow, Joey Brush, Don Cheeks, Chuck Clay, Skin Edge, Bob Guhl, Dan Lee, Guy Middleton, Mary Margaret Oliver, Rusty Paul, Bobby Rowan, Charlie Tanksley, Loyce Turner, and Jim Tysinger.

The State Senate welcomed a variety of representatives from the tourism industry to the capitol for Tourism Day. Sen. Chip Pearson presented a resolution honoring retired Deputy Commissioner for Tourism and Marketing Charlie Gatlin, and declaring Jan. 26 as Tourism Day.

“Tourism brings jobs to the state, and that’s the bottom line after all,” said Gatlin. Representatives from the tourism industry visited the capitol and displayed their products in the Senate Rotunda. Currently the tourism industry brings in \$34 billion to the state and 240,000 jobs.

Committee News

Public Safety

The Senate Public Safety Committee voted to pass Senate Bill 306, clarifying laws regarding the legal use of hands-free communication devices while driving. Sen. Bill Heath (R-Bremen) authored the bill as a result of a constituent being cited for using a Bluetooth while driving.

The committee also passed Senate Resolution 513, Sen. Jeff Mullis’ (R-Chickamauga) resolution creating a study committee to explore the possibilities of establishing a Georgia State Fire Service. The service would consolidate training, the administration of safety codes and emergency rescue services for the fire fighting community of Georgia.

Sen. Nan Orrock’s (D-Atlanta) resolution to urge congress to reject any legislative efforts to enact unfair and ineffective immigration policies was also considered. The resolution, SR 570, was ultimately assigned to a sub-committee consisting of Senators John Crosby (R-Tifton), Mullis, and Valencia Seay (D-Riverdale).

Ethics

Several groups testified on behalf of new ethics reform in the joint Senate and House Ethics Committee meeting. Disclosure of gifts from lobbyists and campaign contributions were discussed.

Common Cause, an organization that specializes in ethics reform, presented four key suggestions on how best to handle ethical issues in the Georgia General Assembly. These included a reform in campaign financing disclosure and lobbyist gifts, establishing a body to view ethics complaints, adopting a code of ethics for the governing body, and rules for “pay for play” legislation.

The State Ethics Commission brought a similar agenda in front of the committee and discussed such issues as having a limit or ban on lobbying gifts. They noted that such a limit already exists in the executive branch and suggested that similar provisions should be considered for both the House and Senate. They clarified that their primary function is as a disclosure agency to make it easier for elected officials and lobbyists to disclose information and make it more available for the public. Only when there is a problem do they become a regulatory body. Several bills, including Senate Bill 17, House Bill 919, and HB 601, have strived to accomplish these goals but have failed to be enacted as law.

Doug Chalmers and Robert Highsmith, noted attorneys who specialize in political law and government ethics, also presented their findings on the issue to the committee. Stressing the

importance of building public confidence, they suggested that all information pertaining to campaign contributions and lobbying gifts be made available online. Furthermore, they told the committee that due to public outcry over discussed issues, reform must come first during this legislative session.

The hearing concluded with House Chairman Joe Wilkinson (R-Sandy Springs) asking both Chalmers and Highsmith to return before the joint committee so that they could continue the discussion on disclosure of campaign contribution and lobbyist gifts. The members will continue to hear testimony on these topics in order to construct an articulate and simple law which adds greater transparency to the financial contribution process at the state level.

Natural Resources

The Natural Resources & the Environment Committee received an update from the governor's Water Task Force during their meeting. Presenters included Nels Peterson, general counsel for Governor Sonny Perdue, John Brock, co-chair of the governor's Water Contingency Planning Task Force and Chris Clark, commissioner of the Department of Natural Resources.

"Our state has kept cool in this situation and we must remain focused on our mission," said Sen. Ross Tolleson (R-Perry). "I am confident that a good dialogue with the other states will help us to meet our goals."

Peterson presented his report on the current situation in the tri-state water wars and gave a summary of Judge Magnuson's ruling and what implications it has for the state at present. He spoke in detail of Judge Magnuson's two findings: that Lake Lanier is not an authorized source of water and that the Army Corp of Engineers exceeded their authority by regulating the water flow in Lake Lanier. Peterson concluded that without any changes, our consistent water supply will be detrimentally affected.

John Brock, of Coca Cola Enterprises and the co-chair of the governors' Water Task Force, gave an extensive presentation on the governor's call for a four-pronged proposal. The proposal consists of appealing the ruling, tri-state negotiations, congressional reauthorization and a viable contingency plan. He noted that conservation and good policy would be the key to creating a long term solution. Brock felt that the keys to Georgia's success was in our ability to Conserve, Capture, and Control. The governor created this vital task force to assess the cost and gains from the public industry side in water negotiations.

Chris Clark, commissioner of the Department of Natural Resources, concluded with the department's findings and water management recommendations. He briefly touched on looking to the future for viable solutions that can be put in place by 2015 and 2020. He spoke on the benefits of incentives for energy efficient fixtures, incentives for new construction, and the potential need for legislative mandates. Clark reminded the committee that in all efforts, conservation should be a priority and should become a part of the state culture, not just within Metro Atlanta. He ended that we must be "better stewards of our state's resources, no matter what regardless of where our future is headed."

Tolleson assured the committee that they can't just plan for 2012, 2015, and 2020, they must make certain that they develop long term solutions for a dynamic growing state.

Economic Development

The Senate and House Economic Development committees gathered at the State Capitol for their first joint meeting of the session to hear from several economic experts on how to grow jobs in Georgia. Co-chaired by state Sen. Chip Pearson (R-Dawsonville) and Rep. Ron Stephens (R-Savannah), the committees were joined by the Special Committee on Small Business Development and Job Creation, a new standing House committee devoted to examining proposals to promote small business and job creation.

The committees heard from experts on the economy, housing, and Georgia's ports. Economist Robert Pletcher, author of the 2002 book *Conquer the Crash* that predicted the current debt crisis, noted that despite Congress passing the biggest spending bill in history last February, jobs continue to crumble.

He warned that despite popular predictions of expected growth in the middle of the year, recovery will be much slower, especially if stocks begin to decline again. Pletcher encouraged the committees to consider removing impediments to job creation, such as repealing minimum wage laws, reducing business regulations and encouraging Georgia congressmen to introduce a bill that repeals the 16th Amendment, which allows Congress to levy an income tax without apportioning it among the states. While he admitted this is an ambitious idea, Pletcher stressed the importance of ensuring that the money that is made in Georgia stays in Georgia.

Roger Tutterow, professor of economics at Mercer University, highlighted the effect that the downturn in construction has had on jobs. Georgia's heavy exposure in the construction and real estate sector is a large part of why the state ranks among the top ten states in job loss. Since the state's construction peak in March 2007, Georgia has shed nearly 60,000 jobs, or about 26 percent of its employment in that industry. In order to move forward, Tutterow encouraged lawmakers to consider broad-based tax reform that is comprehensive, rather than focused on just one sector.

Because of the housing industry's significant impact on Georgia jobs, the committees got an overall look at metro Atlanta's housing market from Eugene James, director of Metrostudy's Atlanta region which is a leading housing market intelligence firm. According to James, housing starts are down 86 percent from 2007. Over the past three years, Georgia has virtually stopped building homes. This has helped absorb the vast inventory that pervaded the state when the housing market began to slump. However, the number of vacant lots continues to be a problem throughout the Atlanta market, which will continue to put pressure on banks, according to James. He also noted that in the best case scenario, the value of lots has declined 50 percent across the metro area.

Georgia's ports are another key area for job and economic growth. Michael Toma, professor of economics at Atlantic Armstrong State University, stressed the importance of deepening the Savannah harbor in order to retain Georgia's competitive edge, as well as transportation projects that allow cargo to move quickly and efficiently through the area. Losing that market share

could set the state back another five years.

Throughout the Legislative Session, the Senate and House Economic Development committees will continue discussing ways the legislature can encourage growth in Georgia's job sector.

Veteran, Military, and Homeland Security

The Veterans, Military and Homeland Security Committee met to discuss several bills that failed to make it to the floor last session. Senate Resolution 626, House Bill 674 and Senate Bill 216 were among the items of business being discussed.

SR 626, which would require the government to pay for the treatment of veterans' service-connected injuries and disabilities sponsored by Chairman John Douglas (R-Social Circle), was unanimously passed by the committee members. The resolution will move on to the Rules Committee.

Rep. Calvin Smyre (D-Columbus) presented his bill, HB 674, to the committee which would increase the maximum prize amount individuals could win. He noted that several of the sponsors have concerns over the current language in the bill. He asked Chairman Douglas for a one week delay of voting so that he could have additional time to discuss the details with his members in the House. Douglas granted his extension and the bill will be heard during next week's hearing.

SB 216 was next on the agenda. The bill would allow the spouse of a fifty percent or greater combat disabled military member to receive 30 days of paid leave in addition to 60 days of unpaid leave. Sen. Emanuel Jones (D-Decatur), who sponsored the bill, was absent at the committee hearing. Sen. Jack Murphy (R-Cumming) gave the motion for the bill not to pass and committee members voted unanimously in agreement.

Science and Technology

The Senate Science and Technology Committee passed a bill designed to provide more flexibility and resources to public school systems in how they use textbooks in the classroom. Committee Chairman Sen. Cecil Staton (R-Macon) introduced his legislation (Senate Bill 319) which would amend the definition of a textbook to include digital, computer hardware, and technical equipment. He noted he drafted this bill to allow Georgia schools to take advantage of growing technologies and give administrators the option of purchasing digital textbooks and equipment to provide for classroom use. The committee heard testimony from Technology Association of Georgia (TAG) President Tino Mantella, who touted the advances of classroom technology over the years including computer learning software and SMART boards. He stated that this bill would give students exciting new opportunities to learn with interactive digital textbooks and give school districts potential cost savings with having the ability to buy digital copies instead of printed books.

Health and Human Services

The Senate Health and Human Services committee unanimously passed Senate Bill 315 the Emergency Volunteer Practitioners Act. This bill will create a registry for licensed health care practitioners that can voluntarily treat Georgians in the case of an extreme emergency. Once the governor declares a state of emergency, a volunteer health practitioner who is licensed and in

good standing in his or her home state may treat individuals in Georgia. Sen. Preston Smith (R-Rome) was inspired to author the bill after seeing the devastation from the Haitian earthquakes and Hurricane Katrina.

“This bill will allow licensed health care workers to assist our state if we are faced with an emergency situation,” Sen. Smith said. “If a disaster does strike Georgia, the registration process can be expedited to get more health care workers into the state.” Representative for Georgia Emergency Management Agency (GEMA), Buzz Weiss, spoke to the committee about the organizations’ role in coordinating the legislation.

Bill Clark, with the Georgia Trial Lawyers Association, also testified before the committee. He reminded the committee that the emergency volunteers would be considered employees of the state and should examine the fiscal impact that could have on the state. After his testimony the committee passed the legislation with at 10-0 vote.

After voting committee Chairman Sen. Don Thomas (R-Dalton) assigned SB 146, a bill requiring the Department of Community Health to contract with a single administrator for Medicaid dental services, to the technology subcommittee for review.

Regulated Industries

The Regulated Industries and Utilities Committee met to discuss the need for telecomm reform in Georgia. Committee Chairman, Sen. David Shafer (R-Duluth) presented his preliminary bill, which is a viable substitute for House Bill 168. Sen. Shafer noted that the bill was merely up for discussion and welcomed input on proposed changes and additions for all invested parties.

Sen. Shafer assured the committee, as well as the attending audience, that any bill released from the committee would strictly follow four guidelines: levels the playing field between carriers, reduces subsidies, gets rid of unnecessary regulations and does not burden the consumer with new fees or taxes.

The proposed bill will work to bring parity to all access fees charged between carriers. Over the transition, a company whose fee is being cut will be compensated from companies who will benefit from the new legislation. The primary goal is to level the playing field by assuring that each company will pay the same access fee and repeal unnecessary regulations for companies who choose to be regulated.

There were many parties present to speak both for and against the proposed legislation. Those for the bill spoke about Georgia’s long needed attention to telecomm reform and how the much needed changes would empower Georgians with the choice to pick from fairly competing carriers. They applauded the committee’s intention to rid carriers of antiquated regulations and to create a level playing field among businesses. Support reiterated that any bill that passed the committee must be free of any new taxes or fees that would unfairly burden the consumer.

Those who spoke against the bill agreed that Georgia was in dire need of telecomm reform but strongly differed on what the approach and strategy should be. They argued that they would be

unable to compete with companies who received the benefit of being subsidized and that increased cost for a smaller retailer would certainly equal an increase in cost for their consumers. Critics also worried that the bill would remove the protection methods which are already in place should a company lease wires from a larger carrier and these wires become damaged. Currently, the smaller carrier would have the opportunity to appeal to the FCC for downed service and lost costumers as a result, but the proposed legislation would limit this option.

The meeting was called to order and Sen. Shafer welcomed all interested participants input and offer them the opportunity to review the current draft legislation.

Judiciary

The Senate Judiciary Committee held its first meeting of the 2010 Legislative Session on Thursday. Business began with members unanimously voting to hold a series of hearings this legislative session to explore the relationship and interplay between the Georgia State Bar Association and Georgia's Judiciary and Legislative Branches. Chairman Preston Smith (R-Rome) and Sen. John Wiles (R-Kennesaw) have been working to improve relationships with the State Bar, and this process will help achieve efficiencies and progress in Georgia's judicial system.

The committee also passed a bill authored by Sen. Chip Pearson (R-Dawsonville) that protects Georgians from being involuntarily implanted with a microchip. Microchips can be used as tracking devices or to store medical information. Sen. Pearson noted that Senate Bill 235 upholds Georgians' constitutional rights of protection of person and property by prohibiting anyone from having a microchip involuntarily implanted. The bill also lays out guidelines for voluntary implantation, which can only be performed by a physician and will be regulated by the State Board of Medical Examiners. Sen. Pearson added that the bill sends the message that Georgia will uphold its citizens' constitutional rights and protection of their personal property.

Transportation

State Sen. Doug Stoner (D-Smyrna) achieved success in the Transportation Committee today for finding greater efficiencies in providing rural and human services transportation services across the state. Senate Bill 22 will establish the Georgia Coordinating Council for Rural and Human Services Transportation (Council).

Since the previous session, Stoner has worked with President Pro Tempore Tommie Williams (R-Lyons), Senate Transportation Chairman Jeff Mullis (R-Chickamauga), Senate Economic Development Chairman Chip Pearson (R-Dawsonville), and Sen. Nan Orrock (D-Atlanta) in exploring the need for better and more efficient transportation services for rural citizens, the elderly and disabled. They worked in a bi-partisan effort to establish guidelines for the Council and make adjustments to SB22 since it was proposed at the end of the 2009 Legislative Session.

Funding for rural transportation assistance goes through a tangled web of bureaucratic services, leading to confusion, inefficiencies and ultimately lack of good service. This Coordinating Council will comprise of representatives from the State School Superintendent and the Commissioners of the Department of Transportation, Department of Human Resources, Department of Community Health and the Department of Labor. The Council will report to the

Governor, General Assembly and House and Senate Health and Human Services Committees by December 31 of each year addressing cost implications, impact on client services and recommendations for efficiencies.

Many organizations spoke in favor of the bill because they see this as a significant step forward in finding efficiencies within the bureaucracy and utilizing existing resources without costing more taxpayer money. Each noted that improvements to transportation for the elderly and disabled will help improve their access to jobs and any medical attention they may need. Supporters included the Georgia Council on Aging, Georgia Transit Association, and All About Developmental Disabilities.

The bill passed with unanimous consent.