



TOP STORY

Legislative Day 10: Senate passes Digital Textbook Bill

By Jennifer Kitt

CHAMBER (Feb. 2, 2010) – The Georgia State Senate voted in favor of giving local school boards more flexibility in allocating funds for digital text books. The bill's sponsor, Sen. Cecil Staton (R-Macon), drafted Senate Bill 319 after meeting with local school districts.

name of the "Office of Treasury and Fiscal Services" to the "Office of the State Treasurer." It also renames the "Director of the Office of Treasury



Sen. Jack Murphy (R-Cumming) recognizes Georgia's Firefighters

"Our children are learning differently than they did just five or ten years ago," said Sen. Staton. "If the limitations on funding are maintained, the schools will be slower to adopt new technologies."

Sen. Steve Thompson (D-Marietta) voiced concerns about the constitutionality of the bill's language. He felt that changing the definition of a text book to include digital technologies could lead to the misuse of lottery funds intended for Pre-K and the Hope Scholarship.

"A computer or a digital reader would be along the lines of something I'm not opposed to, but there's a reason why you limit the definition," said Sen. Thompson. The bill passed with a 45 to five vote.

The Senate also passed SB 296, sponsored by Sen. Mitch Seabaugh (R-Sharpsburg), which changes the

and Fiscal Services" to "State Treasurer." The legislation passed unanimously.

Today marked the 38th annual firefighters recognition day at the State Capitol. Sen. Jack Murphy (R-Cumming) sponsored Senate Resolution 938 recognizing firefighters day, and gave a welcoming greeting for the visiting firefighters.

"It gives me a great deal of pleasure to recognize the firefighters of this state for the unending sacrifices they make in protecting us and protecting our welfare," said Sen. Murphy.

Sen. Valencia Seay (D-Riverdale) then recognized the anniversary of the 19th Amendment to the U.S. Constitution, creating women's suffrage. Legislators wore yellow roses to show their support of the suffrage movement. □

Senate Transportation Committee works to keep Transportation Jobs for Georgians

By Raegan Weber

CAP 450 (Feb. 2, 2010) – Senate Transportation Committee Chairman Jeff Mullis (R-Chickamauga) efficiently conducted the third meeting of the Transportation Committee taking up legislation that would increase transportation jobs and contracts for state and local businesses.

Sen. Chip Pearson (R-Dawsonville) presented his private financing projects bill, Senate Bill 323 (SB 323), for discussion with the committee members and the Georgia Department of Transportation (GDOT). Pearson's objective behind the legislation is to ensure that when local transportation contracts occur, Georgia businesses are utilized. This would help the state's economy and get more Georgians back to work.

Specifically, SB 323 says that any final contract with private funding sources must designate local contractors as recipients of at least 30 percent of the total value of the contract and small businesses as recipients of at least 30 percent of the contract.



GDOT Commissioner Vance Smith testified to GDOT's exploration of the bill today. Smith stated, "We're certainly looking to put people to work, not out of work." However, upon exploring the effects of this legislation with GDOT legal council, there may be complications with federal law since the majority of transportation contracts have matching federal funds. According to GDOT, stipulating transportation projects for local contracts may be determined as anti-competitive by the Federal Highway Administration.

Members of the committee certainly do not want to restrict any businesses from competition, but would rather Georgia contractors be a first choice. The committee asked the General Assembly legislative council and GDOT to explore the possibility of adjusting the language to stipulate only if state and local dollars are utilized or if they can stipulate that only residents of Georgia can be utilized for a project. Pearson committed to working with legislative council and GDOT to perfect the language before bringing the bill to the committee for a vote. □

Higher Education Committee Takes Deeper Look at GA Lottery

By Natalie Strong

CAP Mezz (Feb. 2, 2010) - At Tuesday's Higher Education Committee Meeting, Sen. Mitch Seabaugh (R-Sharpsburg) presented Senate Bill 293, The Georgia Lottery Corporation Board of Directors Bill. The purpose of the bill is to increase accountability and transparency in the Georgia Lottery Corporation (GLC) and to repurpose the oversight committee in order to evaluate the qualifications for salary and bonuses. Seabaugh noted that students and parents in Georgia are the true shareholders of this corporation and they deserve a stronger voice in the salary and bonus structure of lottery officials. As the percentage of funds allocated to the HOPE scholarship and Pre-K programs has declined, Lottery leadership has been awarded record bonuses. Georgia Code says that net proceeds contributed to education shall equal at least 35 percent of the lottery proceeds, but that has not happened since 1995. Though Georgia Lottery profits have increased each year, the percentage allocated to education had gradually declined.

Margaret DeFrancisco, president and CEO of the Georgia Lottery Corporation, was on hand to defend the current structure of the GLC. She noted that the GLC takes every necessary step to maximize revenue for education, and attested that no other lottery system in the U.S. has had as many years of straight growth as that in Georgia. She detailed the method in which the board of directors are active in approving salary and bonus structure based on lottery proceeds and merit. She assured the committee that the GLC will continue to do everything in their power to promote and uphold transparency.

The bill will remain in committee and Sen. Seabaugh will present the bill for a vote after a meeting with Gov. Sonny Perdue to better assess the current climate of the Georgia Lottery System. □

Insurance and Labor Committee Votes to Increase Transparency of Provider Networks

By Katie Wright

CAP 450 (Feb. 2, 2010) – In an effort to create transparency with provider network contracts, Chairman Ralph Hudgens (R-Hull) brought his Senate Bill 50 before Tuesday’s Insurance and Labor Committee. This legislation would require all contracts that a health insurance provider might enter into with a third party are available to all relevant parties. The contract must also align with all original stipulations in the contract between the provider and the consumer.

The committee heard from numerous experts, including Dr. Robert Howell, an orthopedic surgeon who testified on behalf of physicians. He discussed the confusion and frustration that medical professionals get when dealing with the complex web providers create in “renting” out their networks.

Graham Thompson represented the Georgia Association of Health Plans and testified that this legislation is an-

other unnecessary layer of regulation placed on health insurance providers. Graham suggested narrowing the focus of the bill so that providers acting within legal rights are not adversely affected. Not one of the providers he represents enter into these confusing contracts with third parties.

The Medical Association of Georgia was represented by Donald Palmisano, who testified on behalf of the physicians.

Sen. Preston Smith (R-Rome) testified that part of the problem with the system is the relationship between the physicians and the insurance providers. According to Smith, they should be working together for the better of the patient or consumer, rather than finding a place to lay blame for issues related to compensation of services.

SB 50 passed 7-0 out of committee.

□



Economic Development Votes for more Oversight of Cable Company Pole Attachment Rates

By Kallarin Richards

CLOB 307 (Feb. 2, 2010) – The Georgia Public Service Commission (PSC) will have the authority to resolve disputes concerning rates charged to cable companies for attaching lines to Municipal and Electrical Membership Cooperative (EMC)-owned utility poles and pole attachment disputes, under legislation passed by the Economic Development Committee today. Rates from investor-owned utility companies, such as Georgia Power, are regulated by the Federal Communications Commission. Chairman Chip Pearson (R-Dawsonville) authored Senate Bill 328 and explained that the bill’s primary objective is to facilitate fair attachment practices throughout Georgia. Implementing a dispute resolution process ensures that rates, terms and conditions are fair and reasonable. The current pole attachment rate charged by Geor-

gia Power is \$5.72, while some EMCs and cable operators charge pole attachment fees in excess of \$20. He noted that more than 20 states have assumed jurisdiction over monopoly poles and decided that the PSC or a similar government entity is the appropriate organization to oversee such issues.

Representatives from the cable industry testified in support of the bill, noting that the bill does not set rates, but allows both parties to take disputes to a neutral third party, the PSC. Opposition was brought from the EMCs, the Georgia Municipal Association and the Electric Cities of Georgia, who stated that a model statewide agreement has already been created between the EMCs and the Cable Television Association of Georgia, and that this bill overturns many of those agreements and imposes new regulations. However, because not all EMCs and cable operators use

the model agreement, SB 328 seeks to bring all stakeholders under the same regulation.

After questions from members, the committee ultimately voted in favor of the bill. They also passed a resolution that urges Georgia’s congressional delegation to oppose Cap and Trade legislation. According to Senate Resolution 801 and its author, Chairman Pearson, the Cap and Trade bill is essentially an energy tax that hurts all Americans by increasing household utility costs and will result in job loss. The resolution also notes that excessively taxing energy consumption will cause significant harm to the state’s agricultural industries. The Georgia Chapter of the Sierra Club opposed the resolution, noting that the money spent overseas for oil poses a greater risk to national security and the economy.

□

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]*

40th day - Passage of bills or resolutions tabled day 39; removed from the table on day 40. [Rule 4-2.10 (a)]