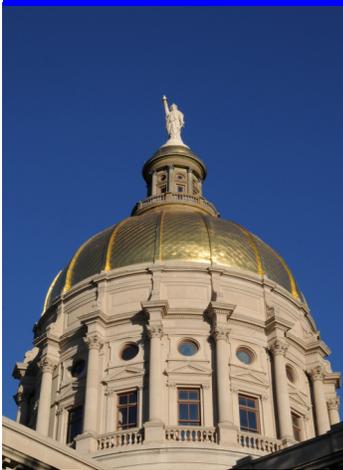


Upper Chamber Report

Raegan Weber, Press Director
Kallarin Richards, Editor in Chief



TOP STORY

Legislative Day 15: Shafer, Senate Dial in State Telecomm Reform

By Matt Colvin

CHAMBER (Feb. 9, 2010) It was not too long ago when consumers in Georgia simply got their phone service from the phone company and their television from a cable operator. Nowadays, most telecommunications companies offer a range of services from TV to phone to Internet to mobile phone and data services, all bundled into one bill. Working to acknowledge the sweeping advances in technology and distribution of these services over the last 20 years, the Georgia Senate passed a telecommunications reform package aimed at modernizing regulations during Legislative Day 15 of the 2010 General Assembly.

Senators approved *The Telecom Jobs and Investment Act* (HB 168), designed to increase telecommunications competition by eliminating subsidy mechanisms and giving businesses incentives for telecommunication job creation. The bill also creates a compensation fund for those companies that need to adjust for the balancing of rates to keep in parity with other carriers.

Sen. David Shafer (R-Duluth), sponsor of HB 168 in the Senate, explained that the bill's main focus is to update Georgia law to allow for increased competition among provid-

ers, create new jobs in the industry, and encourage investment into existing and new telecommunications ventures. He said the bill takes away a lot of the restrictions that telephone companies currently deal with, which Shafer believes is unfair as most telecom companies offer multiple services including television, phone, and Internet service and should all be placed on an even field.

Shafer noted the bill won commendations from many major telecom carriers, organizations, and taxpayer rights groups in Georgia. He said that in two extensive hearings in the Senate Regulated Industries and Utilities Committee over the last month, these groups testified that by updating current regulations, Georgia was creating a level playing field and bringing the industry up to speed with current technologies.



Sen. Shafer explains benefits of telecom bill

The Senate overwhelmingly passed Shafer's committee substitute version of HB 168, 46 to 4, with three additional "housekeeping" amendments. The bill now goes back to the House where they must approve the Senate changes.

Senators voted on safety-net clinics and state retirement in two other pieces of legislation. First, Sen. Lee Hawkins (R-Gainesville) introduced

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The State Institutions and Property Committee Votes to Save Georgia Money

By Raegan Weber

CLOB 310 – In its first committee meeting of the 2010 Legislative Session, the State Institutions and Property Committee unanimously voted to save Georgia money and allow Georgians a voice in how their money is used.

Senate Majority Leader Chip Rogers (R-Woodstock) brought Senate Resolution 510 (SR 520) before the committee. SR 510 proposes an amendment to the State Constitution allowing the General Assembly in general law to authorize the State Properties Commission, the Board of Regents of the University System of Georgia, or both to enter into multi-year rental agreements. Allowing multi-year contracts will improve the management and increase the value of the State’s leasing practices and administrations. The multi-year lease format is standard and considered a leading commercial business practice. In addition, a number of other states including California, Wisconsin, North Carolina, Florida, New York and Texas have followed this leading practice.



The State Properties Commission handles all leasing agreements for state agencies with the exception of the Board of Regents and the Georgia Department of Transportation (GDOT). The nature of GDOT leasing agreements is much different and there is specific legislation that already addresses GDOT agreements. The State Properties Commission suggests that the state could save up to \$10 million.

The resolution must achieve a two-thirds majority in the Senate and House, then be signed by the governor before going on the November ballot for a vote. By putting this to a vote by Georgia citizens, they will have the opportunity to say how their tax dollars are utilized. The ballot question will

read, “Shall the Constitution of Georgia be amended so as to allow the State Properties Commission and the Board of Regents of the University System of Georgia to enter into multi-year rental agreements without requiring appropriations in the current fiscal year for the total amount of rents that would be due under the entire agreement so as to achieve a reduction in rental rates to be paid by the state?” □

Banking Committee Votes Unanimously to Grant Banks and the People Greater Flexibility

By Katie Wright

CAP 450 – The Senate Banking Committee met Tuesday to discuss giving banks greater flexibility in renewing loans. HB 926, authored by Rep. James Mills (R-Gainesville), is an effort to put state banks on par with federal bank guidelines and help consumers receive fair treatment when attempting to renew loans. It passed with overwhelming support in the House earlier this session.



Rep. Mills explained that this legislation allows greater flexibility in terms of renewing or restructuring certain loans that, under current law, would exceed lending limits. Previously, banks were not able to renew a loan because their customer’s asset ratios were affected by the downturn in the economy; however, the law has not changed.

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Senate Bill 344, which would provide sovereign immunity protection to physician assistants working in Georgia's safety-net clinics. Safety-net clinics provide medical care at reduced cost or no charge to uninsured or underinsured patients. Legislation sponsored by Hawkins in 2009 allowed nurses to be covered by the state's immunity. Hawkins noted that Georgia has 55 safety-net clinics that treated over 175,000 patients last year.

His bill was passed unanimously 49 to 0 and now moves over to the House for consideration.

House Bill 172, sponsored by Sen. Bill Heath (R-Bremen) in the Senate, updates Georgia law for retirement disability benefits. HB 172 would allow examinations of disability beneficiaries to take place outside of the home, providing for a more thorough and accurate diagnosis using a medical facility's resources. The bill was passed by committee substitute 51 to 1 and will head back to the House for consideration of the Senate updates.

Along with the general calendar items, Lt. Governor Casey Cagle formally introduced new state Sen. Hardie Davis (D-Augusta) to the Georgia Senate as he officially begins his term serving the 22nd Senate District. Davis won a special run-off election February 2 to fill the Senate seat left open after former Sen. Ed Tarver was appointed a U.S. District Attorney.

Davis will immediately get to work on several important Senate Committees this week. Cagle has appointed Davis to serve on the Economic Development, Insurance and Labor, State and Local Governmental Operations, Transportation, Ethics, and Government Oversight committees.

During Day 15, several senators took time to honor individuals on the Senate floor. Sen. Ed Harbison (D-Columbus) spoke in memory of longtime U.S. Congressman John Murtha (D-Penn.). Sens. Gloria Butler (D-Stone Mountain) and Steve Henson (D-Tucker) applauded several members of the South DeKalb Business Association in attendance who have made significant commitments to their districts. □



Sen. Hardy Davis' first day as Senator for the 22nd District

Transportation Committee supports Private Sector Partnerships for Economic Growth

By Raegan Weber

CAP 450 – Georgia's rest areas and service to travelers along interstate highways will greatly improve if Georgia is allowed to establish partnerships with private sector companies and franchises. The Senate Transportation Committee, chaired by Sen. Jeff Mullis (R-Chickamauga), today passed a resolution that urges the Georgia Department of Transportation to obtain a waiver from the Federal Highway Administration that would allow commercial operations in rest areas along the interstates in Georgia (SR 822). The goal is to partner with a private sector to help maintain of rest areas, keep them open later, serve more people, and help local econo-



mies.

Sen. Jack Murphy (R-Cumming) supported the Resolution, mentioning two specific examples of the positive effects the partnerships could have locally. A constituent contacted Murphy and said he attempted to stop by a rest area just after 5:00 PM only to find the rest area had already closed. With this resolution, rest areas will be able to stay open later. Murphy also mentioned the economic growth that welcome centers have brought local economies. The resolution passed unanimously out of committee. □

Georgia's Medicare Eligibility Expanded



By Kallarin Richards

CAP Mezzanine – Georgians under 65 who have kidney disease or are disabled will have the option to buy secondary health insurance through Medicare that could help them

better manage their health care costs under Senate Bill 316, authored by Sen. Don Thomas (R-Dalton). The bill was passed unanimously by the Insurance and Labor Committee and will expand eligibility to about 2,000 Georgians, according to Sen. Thomas. He testified alongside a dialysis patient who stressed the importance of giving these patients the ability to supplement their high medical costs.

Sen. Judson Hill (R-Marietta) then presented two pieces of legislation that he says aim to protect Georgia patients from being forced to participate in any health care system. This comes in response to federal health care

reform efforts, and would prohibit any law from compelling anyone to purchase health insurance or to fine them for not purchasing insurance. He is presenting the legislation in two forms; first, as a Constitutional Amendment that must be passed by a two-thirds majority in the Senate and House and then would be put before voters on the November 2010 ballot. If approved, Senate Resolution 794 would change the Georgia Constitution to include the prohibition. The second measure is in the form of a bill (SB 317), which would only have to be passed by a simple majority in both chambers, and would be added to Georgia Code. A Constitutional Amendment is a stronger change, but a bill could have a better chance of receiving final passage. The committee voted in favor of both measures, which will go to the Rules Committee to decide which measure makes it to the Senate Floor for a vote.

Finally, the committee passed a House bill (HB 417) that clarifies if an insurer provides any material in a language other than English, the English-language version will rule supreme in any dispute or complaint resolution.

□

Lawmakers to Evaluate Georgia's Economic Development Strategy

By Kallarin Richards

CLOB 307– Economic Development Chairman Chip Pearson (R-Dawsonville) is carrying a bill on behalf of the Lieutenant Governor that creates a council of state lawmakers to evaluate Georgia's overall economic development strategy. The council is also charged with reviewing all state funded activities and expenditures used for economic development. The committee voted unanimously to pass Senate Bill 374, which mandates that the council must provide an annual report to the Governor each year detailing the state's programs and activities related to job creation and economic development in Georgia.

Sen. Pearson also presented SB 339 on behalf of its author, Sen. Mitch Seabaugh (R-Sharpsburg). Members gave this bill a unanimous vote as well, which clarifies that licensed utility contractors are eligible to bid on jobs for utility systems. Vicki Reynolds with the Georgia Utility Contractors Association said that municipalities often confuse the law to mean that only those with a general contractors' license can bid for utility jobs, excluding utility contractors from getting their own work. □

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This bill is geared toward customers that are reliable and pay on time. When the loan was first issued, the economy was thriving and tighter lending limits were not a problem. Now that renewal periods are coming up and the economy is down, consumers can not meet the bank's requirements for renewal. With this new flexibility, banks will have the legal right to make smarter decisions for the bank and their customers, whether it is restructuring, renewing or terminating loans.

Rob Braswell, Commissioner of the Georgia Department of Banking and Finance, was the only witness to come before the committee. He spoke in favor of the bill, commenting that his department hears almost daily from banks that are getting frustrated with the tight lending limits that are unrealistic in this economy.

The bill received unanimous passage and now awaits action in the Senate Rules Committee. Sen. Jim Butterworth (R-Clarkesville) will sponsor the bill in the Senate.

□

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)]