



FEBRUARY 10, 2010 - DAY 16

Upper Chamber Report

Natalie Strong, Deputy Press Director
Kallarin Richards, Editor in Chief

TOP STORY

Legislative Day 16: Senate Unanimously Agrees to Save Taxpayer Money and DOT Time

By Katie Wright

CHAMBER (Feb. 10, 2010) Today in the Upper Chamber, a unanimous vote sent a bill that saves taxpayer money and time to the House for consideration. The ultimate objective of Senate Bill 305 is to improve processes within the Department of Transportation (DOT), making them more efficient.

Current law authorizes the DOT to use the design-build procedure, or contract with one company to design and build a structure, for no more than 15 percent of the total amount of construction projects. Authored by Sen. Jeff Mullis (R-Chickamauga), this legislation increases the allotted percentage to 30 percent. The savings resulting from the ultimate passage of this bill will mean more projects and more jobs. Sen. Doug Stoner (D-Smyrna) spoke in favor of the bill, saying that if we get more stimulus money, we need to be able to utilize it quickly and efficiently and this bill allows the state to do so.



Sen. J.B. Powell introduces his legislation in chamber

House Bill 320, carried by Sen. Bill Heath (R-Bremen), simply changes the name of the Georgia Environmental Facilities Authority to the more applicable name of the Georgia Environmental Finance Authority. The legislation was uncontested and now awaits the governor's signature.

Sen. J.B. Powell (D-Blythe) introduced two bills aimed at assisting military veterans to further their education. SB 404 exempts veterans from certain coursework and allows them to receive class credit for instruction while their in military service. Sen. Powell's second bill, SB 405, allows veterans getting an education from the federal Veterans Administration to pay their tuition in installments or with funds from the Administration.

Sen. Don Balfour (R-Snellville) hosted Chaplain of the Day Pastor Tom Elliott, senior pastor of Cannon United Methodist Church. During Pastor Elliot's devotion, he reminded the Senate about others around the world with greater burdens than we have, such as those in Haiti who are living with the remnants of a deadly earthquake. He advised senators to be respectful to each other and to practice the "Golden Rule" everyday by treating others as they would be treated. □

** Follow the State Senate on Twitter at GASenatePress*

Sen. Judson Hill Announces Bi-Partisan Resolution Supporting Breast Cancer Screenings for Women

By Matt Colvin

MARIETTA— State Sen. Judson Hill (R-Marietta) has authored a resolution urging the United States Congress, the Department of Health and Human Services, and the Centers for Medicaid and Medicare Services to ignore recent guidelines issued by the United States Preventative Services Task Force (USPSTF) stating breast cancer screenings can be delayed until age 50. Hill, a leading advocate for health care rights in Georgia, has received near-unanimous support in the Senate with 53 of his colleagues co-sponsoring his legislation.

“Most of us believe that women must have every opportunity to protect themselves with early screenings and maximize the chances for early detection of cancers,” said Hill.

Hill’s resolution (Senate Resolution 915) stems from a USPSTF recommendation to delay initial mammo-

grams for women from age 40 to age 50. The USPSTF also stated in their guidelines that women should receive biennial screenings as opposed to yearly checkups. Hill noted that if these polices are adopted it will severely hinder the ability of insurance companies to cover early breast cancer screenings and potentially endanger the lives of women if early cancer screenings become more expensive.

“Expanding screenings to women in their 40’s has led to a 30 percent decrease in annual deaths from breast cancer over the past few decades. Delaying screenings and mammograms can allow cancers to grow without detection until it’s too late. What is needed is increased awareness and affordable mammograms to help save lives,” said Hill.

SR 915 was recently approved by the Senate Health and Human Services Committee and will soon be taken up for a full vote in the Senate. □

Government Oversight Committee Streamlines State Lease Agreements

By Meredith Rich

CAP 125 – Georgia could save money with new lease agreements under a bill passed unanimously by the Government Oversight Committee. Sen. Chip Rogers’ (R-Woodstock) State Properties Commission bill (Senate Bill 254) allows the Commission to enter into multiyear lease agreements and removes the authority of the Department of Labor to manage its own space. Currently, there is no negotiation on year-by-year leases. Sen. Rogers noted that the main purpose of the bill is to save the state a considerable amount of money, because now is a great time for the Commission to lock in good rates for a long-term lease.

New contracts for the Georgia Student Finance Committee will be put in place through a bill authored by Sen. Greg Goggans (R-Douglas) and received a unanimous passing vote by the committee. He explained that SB 363 allows the Georgia Student Finance Authority to contract with the Board of Community Health to include its employees in any state health insurance plan. Previously, the group self-supported their own private insurance. There is no fiscal impact because the Authority will pay 80 percent of the cost for insurance, with the employees covering the other 20 percent.

Fatimot Lapido from the Georgia Student Finance Authority said the Authority is self-supporting because interest collected from student loans will be used to cover costs for State Health Benefit Plan coverage. Nothing will be taken away from money used to make loans. The selling point of the bill is that there is no additional cost to the state and this is for active employees only. Because covering retired Authority employees would result in a fiscal impact, the committee voted to restrict the bill to active employees only. □

Committee Votes to Uphold Department of Defense Rules

CLOB 310 – The Veterans, Military and Homeland Security Committee met Wednesday to discuss who has the right to handle the disposition of the body of deceased armed-forces personnel. Sen. Ed Harbison (D-Columbus) proposed Senate Bill 355 as a result of several stories from families plagued by the decision of who would handle their deceased loved one’s body.



Sen. Harbison explained this is entirely unfair and unnecessary as there is a form all military personnel are required to fill out regarding this matter. Kept in the U.S. Department of Defense Record of Emergency Data, DD Form 93 allows the personnel to designate an authorized person to handle their body in the event of death. Sen. Harbison’s legislation ensures this form is utilized in Georgia.

The committee only offered one question. Sen. Cecil Staton (R-Macon) asked if personnel are able to update this record, as it is likely that situations will change over time. Sen. Harbison noted that each time a member of the armed-forces begins a tour, the form is filled out again to ensure all information is up to date and correct.

The legislation passed unanimously and now awaits consideration before the entire Senate.

The committee also heard testimony on Sen. Nan Orrock’s (D-Atlanta) resolution, SR 955, discouraging military related activities and military recruitment of children under the age of 17. It urges schools to play an active role in obtaining parental consent when military-related activities commence on school campus. *Continued on Page 4*

Lt. Gov. Cagle, Senate Welcome New Sen. Hardie Davis

By Matt Colvin

ATLANTA– This week, Lt. Governor Casey Cagle formally introduced new state Sen. Hardie Davis (D-Augusta) to the Georgia Senate and appointed him to committees 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.

“I want to be among the first to welcome Hardie Davis to the State Senate and look forward to working with him to balance our budget and provide more jobs for Georgians. Senator Davis worked diligently in the State House and I’m confident he will do the same in the Senate while representing Augusta with thoughtful leadership,” said Lt. Governor Casey Cagle.

“Lt. Governor Cagle and my new Senate colleagues made my first day on the Senate floor a very humbling and memorable experience,” said Davis. “It is an honor to represent the 22nd Senate District here in Atlanta and to serve in the same body as some of Georgia’s greatest leaders. I look forward to working with the Lt. Governor and the Senate to bring new

jobs to Georgia, get people back to work, and put Georgia’s economy back on track to growth and prosperity.”



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. As a committee member, Davis will have a role deciding what legislation will have a chance to be heard on the Senate Floor for a full vote.

Davis was first elected to the Georgia General Assembly in 2006 as a member of the House of Representatives. Prior to his legislative service, he worked as an engineer for nearly 17 years before pursuing a full-time pastoral career. Davis holds an electrical engineering degree from Georgia Tech and a Doctorate in Ministry from the Christian Life School of Theology in Columbus. Davis is married to the former Ms. Evett Plather. They are proud parents of their son, Benjamin. □

Police and Lawyers Square Off in Public Safety Arena

By Natalie Strong

CLOB 307 - On Wednesday, the Public Safety Committee continued their hearing on Senate Bill 318, which requires that an individual provide an affidavit along with their complaint against certain law enforcement professionals. Proponents of the bill present to testify included Lance LaRusso with the Fraternal Order of Police and Frank Rotundo, the executive director of the Georgia Association of the Chiefs of Police. Rotundo stressed that we no longer have the police culture of the 1960's and 1970's and that given the opportunity, police would indeed testify against their colleagues who have broken the law. He noted that there is no longer a "blue line" that separates police from everyday citizens, but that police officers are eager to do the right thing. As a law enforcement officer who has been sued and has also been an expert witness, he described how morale and job performance for those

Continued on Page 5



Ethics Hears Finals Thoughts on Changes to Election Code

By Natalie Strong

MEZZ- Michael O'Sullivan, Legislative Director with the Secretary of State's office, returned to the Ethics Committee Wednesday to present two small changes to HB 540 that were made since the last meeting.

New language in section three addressed the concern of the Georgia Municipals Association from the pervious meeting. The new language clarifies that any city or county employees may also serve as poll officers regardless of the county in which they reside. This should alleviate some of the stress that smaller counties have finding eligible poll officers to staff voting sites.

New language in section eight requires counties to provide the official electors list 21 days prior to a municipal election. The extension coincides with the start



of absentee/early voting periods for municipalities.

With no objections, the bill was passed out of committee and will await its turn on the Rules calendar. □

From Page 3

Another part of the resolution urges school systems to inform parents that their child's contact information is being released, and often used for military recruitment, to the federal government under a stipulation in the No Child Left Behind Act. There is an opt-out clause in this stipulation that is not well known but allows parents to elect not to allow the school to share their child's contact information.

The committee had a strong concern that this resolution would negatively affect the military and its recruitment practices. Chairman John Douglas (R-Social Circle) and other members reminded the audience that without a draft, we can rely only on military recruitment to populate our armed-forces.

Several private citizens testified in support of the bill, including Caitlyn Barrow, a student at Georgia State University, who testified that she had been contacted several times by military recruiters. The committee pointed out that no harm came to Ms. Barrow as a result of these calls and mailings.

A representative from the American Civil Liberties Union mentioned that the U.S. entered into the Human Rights Declaration that states that no one under the age of 17 shall be recruited for military service. Sen. Staton pointed out that federal law preempts state law, so the state is powerless with respect to the international contract mentioned above.

Tim Franz, representing the American Friends Service Committee, mentioned recruiters have an unfair quota that they have to meet. He asked the committee to consider hearing testimony from a recruiter to provide further information. The members agreed and will continue testimony before taking a vote. □

Public Discussion Surrounds Governor's Water Task Force

By: Adam Sweat

CAP 450 - Today the Senate Natural Resource Committee held a public discussion to hear the testimony of several groups regarding the Governor's Water Bill. Jason O'Bouche, from the Council for Quality Growth, was present to express his support of the task force and stated that his organization is satisfied with the recommendations that have been included in Senate Bill 370. However, he noted some minor concerns that he has with the current language of the bill. These included the issue of billing for water consumption, which would have a direct impact on how companies bill residents for their usage of water.



In section five of SB 370, there are references made to submetering and multitenant buildings. He stated that submetering would subject all multitenants to the same meter reading which would be an unfair process for the state to enact. Darrian Collier, who represented the Georgia Apartment Association, also shared O'Bouche's concerns regarding the specific language used in the bill. He added that this is a tough issue to legislate on because there are many ways to determine water consumption. Other groups, including the Association of Water Professionals, the Georgia Conservancy, and the Georgia Municipal Association, took the opportunity to express their support for the legislation as well as the Governor's Water Task Force.

The committee also held a vote on Senate Resolution 859 which is sponsored by Sen. Judson Hill (R-Marietta). The resolution, as amended, passed unanimously and will now move on to the Senate Rules Committee to see if it will make it to the chamber floor for a vote. With this the resolution, the state would be able to urge the necessary parties in our nation's capitol to allow for the exploration of new energy sources on the coast of Georgia. Currently, 90 percent of the state's natural gas comes from the Gulf of Mexico. Representatives from Atlanta Gas Light and the Georgia Petroleum Committee were both present to support this piece of legislation that would start the process of Georgia decreasing its dependency on others for natural gas. Furthermore, it would give the state a much needed increase in revenue.

Next week the committee will meet again to continue their discussion surrounding the Governor's Water Bill as well as other issues that pertain to natural resources in the state of GeorgiaNat. □

From Page 4

involved in a frivolous lawsuit declines. He felt that abolishing these unjust cases would bring a level of confidence and productivity to the officers who are trying to do their best job.

Those testifying against the bill included Bill Clark with the Georgia Trial Lawyers and Aaron Colson of Lobbyists for Life and Liberty. Colson stressed that it would be difficult to find a police officer who would volunteer to be an expert witness. He noted that all other professions protected by the bill enter a contractual relationship with their clients, but this is not the type of relationship that police have with everyday citizens. The professions are mostly private, while police officers have the state as a support unit. Colson felt that "frivolous" lawsuits are the price we pay in order to allow valid cases to be heard. He recounted a personal story in which his sister had been raped by two police

offices. He noted that it would be a travesty to add yet another layer of requirements to an already traumatic experience for the victim.

Bill Clark stressed that law enforcement already has the "shield of the state" to protect them. He noted that taking away the ability for judges to determine if a lawsuit is frivolous or not removes an important right that they have to stop these cases from ever seeing the court room. He reminded the committee the this law has been on the book since 1988 and has never stopped frivolous lawsuits against physicians. He pointed to dramatic health care tort reform that was the hot topic in 2003. This legislation was passed regardless of the fact that it sought to have the same outcome of this bill and both have been unsuccessful.

The committee will vote on the issue at the next meeting. □

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)]