



FEBRUARY 18, 2010 - DAY 20

Upper Chamber Report

Raegan Weber, Press Director
Kallarin Richards, Editor in Chief

TOP STORY

Legislative Day 19: Senate Settles FY10 Budget; FY11 Necessitates a Two Week Recess

By Natalie Strong

CHAMBER (Feb. 18, 2010)-The Senate had a full calendar on Thursday with 10 bills on the floor and the main event being House Bill 947, the FY10 amended budget. The Senate passed the FY10 amended budget 44 to 6. In maintaining focus on budget issues, the Senate also voted in favor of a two week recess to work on the FY11 budget. This important step will give senators time to address the current economic condition of the state.



Sen. Jack Hill (R-Reidsville) Presents Budget Figures to Senate

Other orders of business included the Pre-Owned Manufactured Homes Inspection Bill (SB 384) from Sen. John Bulloch (R-Ochlocknee). What seemed to Sen. Bulloch to be a straightforward bill commanded a lot of time and attention, as well as a proposed amendment from Sen. Bill Heath (R-Bremen). The bill would give the fire safety commissioner the right to establish rules and regulations for an inspection program for pre-owned manufactured homes. Bulloch likened the law to used car inspections and noted that every buyer had the right to know the quality of the manufactured home they were buying. Sen. Heath's proposed amendment to the bill hoped to give county or state officials the right to deem a currently inhabited home unfit for living. While the proposed amendment failed, the bill passed 39 to 14.

There were several bills on the floor that garnered great support from both sides of the aisle. Senators unanimously voted to pass SB 316, sponsored by Sen. Don Thomas (R-Dalton), which will help dialysis patients in Georgia supplement their high medical costs with secondary insurance through Medicare. This bill will require insurers offering Medicare supplement policies to those under the age of 65 to offer the same policies to eligible citizens enrolled in Medicare for disability or end-stage renal disease regardless of age. This improved access to supplemental policies, commonly referred to as Medigap insurance, breaks down certain obstacles created by the overwhelming cost of health care. Currently, there are approximately 2,000 Georgians who stand to benefit from this new piece of legislation. Sen. Donzella James (D- College Park) also spoke in support of the bill, sharing personal stories of family members affected by renal disease.

In an effort to prevent price gouging in a state of emergency, Sen. Jeff Mullis

Continued on Page 3

** Follow the State Senate on Twitter at GASenatePress*

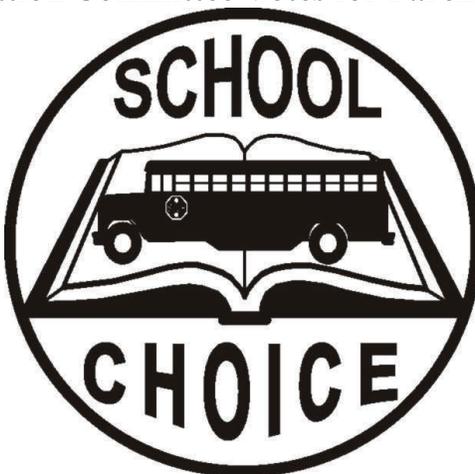
Education Committee Votes for Parent Choice

By Katie Wright

CLOB 310 (Feb. 18, 2010) – The Senate Education and Youth Committee voted on Thursday to give military families and foster care children greater choice in education. Georgia taxpayers already provide school choice to special needs students, prekindergarten students and college students through the HOPE scholarship. Sen. Chip Rogers (R-Woodstock), sponsor of Senate

Bill 361, explained that these military families and foster care children will now have the opportunity to take the state's education money allotted for that student and use it for a public or private school of the parent's choice.

The list of witnesses was long and varying in support of the bill. Two military wives came forward and expressed their support for the legislation. They explained that they do not choose where they are stationed so having a choice in where their child is being educated would be very helpful. One of these moms read a letter from her husband, an active military sol-



dier now in Afghanistan, to the committee explaining why this is so important to military families and asking for the committee's support.

Several educators testified with mixed views. Some thought they would be able to reach more students with this expanded eligibility into the program while others feared the slippery slope of funneling public dollars to private schools.

Sens. Vincent Fort (D-Atlanta) and Donzella James (D-College Park) were very concerned with discrimination becoming a consequence of SB 361. Sen. Fort offered an amendment to ensure no school would be able to discriminate based on religion. Sen. James asked a series of questions targeting the financial accountability of private schools taking public dollars and whether this measure would be just another tier of government.

There were a number of witnesses from religious sects that supported the bill including a representative from the Catholic archdiocese and a rabbi. □

Health and Human Services Committee Passes Community Services Boards Bill

By Jennifer Kitt

CAP 450 (Feb. 18, 2010)-Community Services Boards (CSB) will now have a clearer understanding of the health care services they can provide thanks to Senate Bill 425, sponsored by Sen. Don Balfour (R-Snellville). The bill includes a better definition of those services and allows them to contract with other health care providers or state agencies. CSBs provide mental health and developmental disability services through contracts with the state's Department of Behavioral Health and Developmental Disabilities (BHDD). Under SB 425, CSBs would be required to treat individuals with Medicaid, Medicare and Peachcare for Kids. The bill also creates stronger conflict of interest regulations for board members. Committee members heard supportive testimony from Community Service Board Association representatives Steve Anthony and Dr. Deril Gay.

Sen. John Wiles (R-Marietta) voiced concerns that the bill did not require public disclosure of certain plans and meetings. He said transparency is important, and the public should be able to access information. An amendment to remove closed door meetings was adopted and the bill passed unanimously. □



Sen. Thomas Champions Medicare for Dialysis Patients

By Katie Wright

ATLANTA (Feb. 18, 2010) – Today, State Senator Don Thomas (R-Dalton) led the Senate to unanimously pass Senate Bill 316, legislation that helps dialysis patients in Georgia supplement their high medical costs with secondary insurance through Medicare.

“As a practicing physician for over 50 years, I understand the importance of having quality, affordable health care,” said Thomas. “I am proud to sponsor legislation that increases access to life-saving treatments for those with kidney failure.”

SB 316 requires insurers offering Medicare supplement policies to those under the age of 65 to offer the same policies to eligible citizens enrolled in Medicare for disability or end-stage renal disease regardless of age. This improved access to supplemental policies, commonly referred to as Medigap insurance, breaks down certain obstacles created by the overwhelming cost of health care. SB 316 expands eligibility to about 2,000 Georgians. It passed unanimously in the Senate Insurance and Labor Committee before receiving overwhelming support on the Senate floor. □



Continued from Chamber Page 1

(R- Chickamauga) presented SB 237, which gives the government the right to intervene. The bill passed 50-2.

Other bills that saw little to no resistance on the floor included SB 367, 355, and 371. Sen. Don Balfour's (R-Snellville) Influenza Bill (SB 367) revises the definition of "influenza vaccine". SB 355, sponsored by Sen. Ed Harbison (D- Columbus), allows members of the military to authorize an individual to have control over their disposition should they be killed in action. SB 371 by Sen. Bill Cowser (R- Athens) authorizes the Georgia Bureau of Investigation (GBI) to investigate residential mortgage fraud cases. In addition, the GBI will be authorized to issue subpoenas, with the consent of the Attorney General, to compel production of any tangible evidence relating to an alleged fraudulent real estate transaction

Finally, senators rallied behind Sen. Chip Rogers' (R - Woodstock) State Properties Commission Bill and Resolution. SB 254 and SR 510 work hand in hand to allow the General Assembly in general law to authorize the State Properties Commission (SPC), the Board of Regents of the University System of Georgia, or both to enter into multi-year rental agreements. SB 254 will specifically provide direction to the SPC regarding multi-year contracts. This bill amends Title 50, Chapter 16 relating to the powers and duties of the SPC. SB 254 has an effective date of January 1, 2011; however the Act will only become effective on that date upon the November 2010 ratification of the Constitutional Amendment proposed by SR 510. 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. □

(More on SR 510 on Page 6)

Working Families Legislative Caucus Promotes Solutions to Address Revenue Shortfalls

By Jennifer Kitt

ATLANTA (Feb. 18, 2010) – Sens. Gloria Butler (D-Stone Mountain), Nan Orrock (D-Atlanta), Reps. Virgil Fludd (D-Tyrone), Debbie Buckner (D-Junction City), Roberta Abdul-Salaam (D-Riverdale), Brian Thomas (D-Lilburn), Rick Crawford (D-Cedartown) and Stephanie Stuckey Benfield (D-Atlanta) joined members of the Working Families Legislative Caucus today to announce policies addressing Georgia’s budget revenue short-



Sens. Orrock and James join fellow Working Families Legislative Caucus members to discuss budget suggestions

falls. The caucus showed support for Senate and House legislation that will provide transparency for special interest tax breaks and alleviate the budget deficit by collecting billions of dollars in taxes that are due and going unpaid. They also support raising the tax on tobacco, imposing a temporary surcharge of 1 percent on the wealthiest Georgians and reducing special tax credits and exemptions.

“Our state has not collected \$1 billion in tax revenue and this money could ease some of our financial burdens,” said Rep. Fludd. “If we are missing out on this much money from uncollected taxes, our state needs to adjust the current collection practices.” In order to address this problem, the caucus will support House Bill 356, sponsored by Rep. Fludd, and HB 1137, sponsored by Rep. Dubose Porter (D-Dublin). These bills will revise how taxes can be collected and improve current tax collection policies.

“All legislators, Democrats and Republicans, need to join forces to address Georgia’s budget crisis. We cannot stand by while education, health, social services and public safety programs are decimated – destroying the jobs and safety net services that Georgia families need now more than ever,” said Sen. Orrock. “We must balance strategic budget cuts with fair and responsible tax policies that generate badly needed revenue. We must join with the majority of states across the country and adopt revenue enhancing measures to protect jobs and help Georgia families meet the challenges of this economic crisis.”

Continued on Page 5

Regulated Industries Revisits Old Issue; Protects Contractors

By Natalie Strong

CAP 450 (Feb. 18, 2010)- On Thursday, the Regulated Industries and Utilities committee met to review a bill that stalled in committee at the end of the 2009 Session. House Bill 579, sponsored by Rep. Howard Maxwell (R-Dallas), will authorize that a general or residential contracting company who has been awarded a license will remain eligible to receive the license by providing a new agent, should the qualifying agent die prior to the receipt of the license. The issue arose from a contract that had been awarded to a company but revoked when a tragedy claimed the life of the contractor before the license had been formally issued. The bill requires that after 120 days has expired, the company who had been awarded the contract must resubmit a qualified applicant to receive the issued license. Chairman David Shafer (R-Duluth) reminded the committee that they had heard the bill during the 2009 Session and passed it unanimously. The committee reaffirmed their vote on the bill with a unanimous passage. □

Continued from Working Families on page 4

“We need to begin by supporting a good government bill that passed the Senate unanimously last year. SB 206, sponsored by Senator Greg Goggans, requires the state to collect the information that shows how much we are spending on special interest tax breaks,” said Rep. Abdul-Salaam. “Shining the light on what these tax breaks really cost Georgians is just good stewardship of precious tax dollars.”

The caucus also supports Rep. Ron Stephens’ (R-Savannah) bill to increase the tax on cigarettes by \$1 per pack. This would generate an estimated \$350 million per year in added revenue for Georgia. Sen. Butler spoke passionately about the link between smoking and asthma.

“Georgia spends over \$500 million in public tax dollars every year on smoking related illnesses through its Medicaid program alone,” said Sen. Butler. “Georgia has one of the lowest cigarettes taxes in the nation. By increasing the tax on cigarettes we know we will also deter young teens from taking up smoking and encourage others to quit. This bill is a win, win, win.”

Another policy solution promoted by the caucus would impose a temporary one percent surcharge on the wealthiest Georgians. Eight states (including North Carolina) have taken this approach last year by raising the top tax rate on the highest income filers. Just last

month, Oregon voters adopted this policy by statewide referendum. Georgia’s top income tax rate is currently six percent and begins with an individual earning just \$7,000 or a married couple earning just \$10,000 per year. HB 1066 introduced by Rep. Fludd would create a temporary two year surcharge of one percent on filers with taxable net income for that portion over \$400,000 per year.

The caucus also addressed HB 1065, 1067 and 1068, measures that would reduce the tax credits and exemptions already on the books by 15 percent for two years. These temporary measures mirror the massive cuts of 8-40 percent or more that all state agencies and programs have been taking in the appropriations process.

“The legislative proposals to cut taxes keep pouring in, with no reliable data to show that these cuts create jobs or help working families,” said Rep. Fludd. “While we are furloughing teachers and state workers, and cutting education, health, social services and public safety programs, it is only fair to make a comparable reduction to tax credits and exemptions.”

The caucus also supports Sen. Goggans’ resolution that will eliminate sales tax exemptions on lottery tickets. A sales tax on the lottery could bring Georgia an additional \$80 million of funding per year. The resolution (SR 939) and similar legislation in the House has been sponsored by both Republican and Democratic legislators. □

Judiciary Committee Holds Massage Therapy Bill for More Discussion

By Kallarin Richards

CLOB 307 (Feb. 18, 2010) – Sen. Cecil Staton’s (R-Macon) bill targeting illegal massage parlors was held over in committee for further discussion. Senate Bill 364 helps law enforcement officials stop suspected illegal activities at advertised massage parlors by clearing up several loopholes in Georgia law and increasing penalties. Several committee members and witnesses raised concerns that the bill’s broad language unintentionally criminalizes women who are forced into this industry, many who are underage. The committee voted to hold the bill to allow more time to tighten up the language.

Members did vote to pass Senate Bill 333 from Sen. Judson Hill (R-Marietta) that protects property owners’ right to display the U.S. or Georgia flag on their property by prohibiting owners’ associations from adopting any policy that limits that right. □



Senate Votes to Save Millions in Taxpayer Dollars

By Raegan Weber

ATLANTA (Feb. 18, 2010) – The Senate today voted in favor of saving millions in taxpayer dollars and allowed Georgians to have a greater voice in how their money is spent. Senate Majority Leader Chip Rogers (R-Woodstock) championed Senate Resolution 510 proposes an amendment to the State Constitution allowing the General Assembly in general law to authorize the State Properties Commission (SPC), the Board of Regents of the University System of Georgia, or both to enter into multi-year rental agreements.

“As stewards of taxpayer money, we have a duty and responsibility to be as transparent as possible and utilize tax dollars effectively and efficiently. By allowing the state to enter into multi-year leases, we could save an estimated \$37 million over 10 years,” said Rogers. “Georgia’s current leasing policy prevents the state from obtaining lowest cost options and ultimately does not serve the best interests of the state, agency occupants or the taxpayers. Giving Georgians the opportunity to make this cost-saving change in our Constitution provides transparency in how their money is spent and ensures long-term cost savings.”



“I applaud Sen. Rogers for his common-sense legislation aimed to protect taxpayers around the state,” said Lt. Governor Casey Cagle. “Our Budget Task Force identified this move as a key method to effectively manage the state’s business. The Senate continues to offer fiscally-responsible solutions that ease the burden on hard-working Georgians and promote an open, efficient government.”

According to the Georgia Constitution, “...the credit of the state shall not be pledged or loaned to any individual, company, corporation or association...” and it is the interpretation of this Constitutional provision that has resulted in the long-standing policy limiting leasing to one-year terms. Georgia faces a fundamental issue that is common to other state and public sector organizations: How to provide for multi-year fixed term leases to leverage the State’s real estate resources and not conflict with the provision to commit to any future obligations beyond the current annual appropriation cycle.

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 Senate also passed the enabling legislation, Senate Bill 254, which provides direction to the SPC regarding multi-year contracts. This bill amends Title 50, Chapter 16 relating to the powers and duties of the SPC. SB 254 has an effective date of January 1, 2011; however the Act will only become effective on that date upon the November, 2010 ratification of the Constitutional Amendment proposed by SR 510.

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?” □

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)]