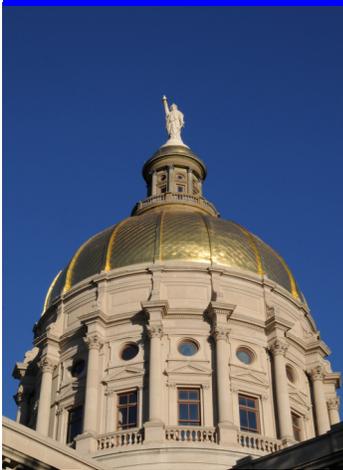


Raegan Weber, Press Director  
Kallarin Richards, Editor in Chief



TOP STORY

**Legislative Day 34: Senate Returns after Spring Recess**

By Natalie Strong

CHAMBER (April 12, 2010) - The Senate returned from its spring recess on Monday, first taking a moment to honor veterans from the Korean War in recognition of the war's 60<sup>th</sup> anniversary. Resolutions were presented honoring the General Raymond G. Davis



*Korean War veterans are honored in the Senate*

chapter of the Korean War Association and the Little Angels of Children's Folks Ballet, a Korean performance group. Little Angels is a Korean children's performing arts group that spreads Korean traditional arts throughout the entire world in a goodwill mission of peace and art. They are well-known worldwide as singing and dancing angels, and as little delegations of goodwill and friendship. They will travel to Georgia next month to perform at Ft. Benning to honor Korean veterans, as well as all military servicemen and women. On a personal note, Sen. Donzella James (D-College Park) presented her parents with a resolution honoring their 60<sup>th</sup> wedding anniversary.

Senators then rallied in unanimous support of House Bill 1015, which is touted as an addendum to the Gang Act of 2006. While it seeks to fine tune and build upon the original gang act, Senators spoke to the significant impact the legislation has already had on communities across Georgia. Violent crime and murders dropped dramatically when the anti-gang measurement was introduced. Additions to the law create new offenses for those who recruit gang members or retaliate against witnesses. In addition, HB 1015 encourages the creation of the Georgia Criminal Street Gang Database.

The Senate also took up important voting issues. HB 665, sponsored by Sen. Don Balfour (R-Buford), requires the secretary of state to develop a pilot program for the electronic transmission of absentee ballots by military and overseas citizens. The pilot program will encrypt and authenticate information, verify the electors' identity and eligibility to vote, and allow the elector to verify the ballot transmission was successful. In addition to HB 665, Sen. Jim Butterworth (R-Clarksville) presented HB 1073, an effort to allow eligible overseas voters to register to vote by a write-in absentee ballot provided by the Uniformed and Overseas Citizens Absentee Voting Act. In addition, eligible overseas voters may make an application for an official ballot by electronic transmission. This bill will help bring Georgia into compliance with the fed-

*Continued on Page 2*

*\* Follow the State Senate on Twitter at GASenatePress*

eral Uniformed and Overseas Citizens Absentee Voting Act, making Georgia the 3<sup>rd</sup> state in Union to do so.

The Senate voted in support of Senate Resolution 1299, sponsored by Sen. Bill Heath (R-Bremen), which updates federal motor vehicle standards that deal with fire safety and materials used in making automobiles. Since the code has not been update since 1975, changes are necessary to reflect current technology and new materials.

Sen. John Bulloch (R-Ochlocknee), chairman of the Senate Agriculture Committee, presented HB 1090, which abolishes the Georgia Agrirama Development Authority and places all responsibilities for the Agrirama museum in the hands of the Board of Regents of the University System of Georgia.

Sen. Jack Murphy (R-Cumming) introduced HB 997, which moves social security coverage for state employees from the Employees' Social Security Coverage Group to the State Personnel Board. The move would bring the practice up to code and formally move the program from state employees to an area where it can be paid for in the appropriate manner. The straight forward, clean-up bill passed unanimously.

Finally, the Senate took up HB 1258, which authorizes the State Financing and Investment Commission to comply with requirements of the American Recovery and Reinvestment Act of 2009 including mandating, requiring, or deeming the waiver of local allocation via resolution or by Commission policy. HB 1258 reached a vote and passed 47-1.

□

---

### **DNR to Partner with Non-Profit Organizations**

By Adam Sweat

CAP 450 (April 12, 2010) – Today, the Natural Resources and Environment Committee met to hear several pieces of legislation that would potentially have long term effects across the state. House members presented their sponsored bills to Chairman Ross Tolleson (R-Perry), with each one receiving unanimous support.

House Bill 1199 authorizes the Department of Natural Resources (DNR) to accept services in the areas of historic preservation, wildlife management, recreation and public education on conservation. Furthermore, the bill would allow the DNR to participate with public and private groups, organizations and businesses in joint advertising and promotional projects that promote these areas. Rep. Bob Smith (R-Watkinsville), who sponsored the bill in the House, noted that other state agencies, including the Department of Economic Development, already have similar provisions in place.

The committee also heard HB 1206, which requires a person to obtain a water well contractor's license from the State Water Well Standards Advisory Council before drilling a well. However, a person drilling a well (or geothermal borehole) is not required to act under the direction of a professional geologist or professional engineer. Next, the committee heard HB 207, which expands the current law definition of an "off-road vehicle" to include government vehicles used for official and agricultural purposes. This legislation provides for an additional restriction by prohibiting the operation of off-road vehicles within any navigable or nonnavigable stream, except when directly crossing the stream.



The committee heard the wildlife protection bill HB 1000, which seeks to protect Georgia's turtle population and accounts for eight percent of the world's turtle population. The bill passed and was sent to the Rules Committee for consideration.

Lastly, the committee heard HB 1298, which revises and updates certain terms relating to hazardous waste management to make the terms consistent with federal regulations in effect in 2011. This legislation passed unanimously with the committee substitute and will move forward to the Rules Committee.

□

## Public Safety Committee Votes to Save Taxpayer Dollars and Improve Efficiency

By Katie Wright

CLOB 307 (April 12, 2010) – The Senate Public Safety Committee heard a bill that saves taxpayer dollars and enables the purchase of new State Patrol vehicles. The state can save approximately \$700 per car by simply painting cars in one tone, as opposed to the traditional two-tone, blue and grey patrol cars piloted by Georgia's state patrol officers. The author of the bill, Rep. Jill Chambers (R-Atlanta), testified that these funds can be used to replace older vehicles with new and safer patrol cars. The second part of House Bill 981 prohibits the use of retread tires on state vehicles that are used to respond to public safety emergencies. HB 981 passed with overwhelming support.



A bill to improve efficiency in state government and the safety of state employees received unanimous support. HB 1074, by Rep. John Meadows (R-Calhoun), creates the Capitol Police Division within the Department of Public Safety (DPS). It modifies the boundaries of Capitol Square to include state buildings not previously patrolled by Capitol Police. HB 1074 also moves the law enforcement capacity of the Georgia Building Authority to the DPS, under the supervision of the Capitol Police Division. Meadows testified that there is no fiscal impact associated with this bill; it simply streamlines law enforcement at the Capitol. By ensuring all Capitol law enforcement officers are working together under the same supervision, the Public Safety Committee is making efficiency a top priority.

Other bills considered during Monday's meeting were HB 979 by Rep. Roger Lane (R-Darien) and HB 1231 by Rep. Bobby Reese (R-Sugar Hill). HB 979, which passed unanimously, seeks to increase penalties for those convicted of aggravated assault on a law enforcement explorer, aligning them with the penalties set for aggravated assault on a law enforcement officer. An explorer is a current member of a law enforcement agency's explorer program, which gives young people the chance to explore a career in law enforcement or simply learn more about the job.

HB 1231, which met no opposition, defines how to execute a left and right turn while driving. Sen. John Douglas (R-Social Circle) offered an amendment that states any person driving in excess of 20 miles an hour over the posted speed limit while fleeing a pursuing police officer is guilty of a felony. The amendment also adds that a person who is driving under the influence while fleeing a police officer will be guilty of a felony. The amendment was accepted and the bill passed unanimously. □

# Regulated Industries Decides Where There's Smoke There's Not Always Fire

By Natalie Strong

MEZZ (April 12, 2010)- At Monday's meeting of the Regulated Industries and Utilities Committee, committee members heard from passionate groups on both sides of House Bill 1196, sponsored by Rep. Terry England (R-Auburn). The bill seeks to prohibit the state legislature from mandating fire sprinkler systems in single family or duplex dwellings. England spoke about the cost prohibitive nature of mandating such expensive systems and noted that there is a 99.45% survival rate during fires in houses with active smoke detectors. England also noted that for every extra \$1,000 added to the price of a home, it prohibits over 200,000 buyers for qualifying for the property. He urged the committee to make sure the installation of these systems is at the discretion of the homeowner, not the rule of the state. Those opposing the bill included the Georgia Municipal Association and the Association of County Commissioners of Georgia. They spoke about how mandated fire protection systems become important tools that communities desperately need to keep the city safe and keep costs down.



Members from area fire departments also spoke in opposition to the bill, citing the protection the sprinkler systems create for their force. Sen. Doug Stoner (R-Smyrna) noted that his community was made of many high density, residential areas and due to the compact nature of these living areas, he felt that it was a good piece of legislation for his constituents. Lastly, contractors and representative for the Home Builders Association spoke in favor of the bill, noting that mandating such a practice takes the practicality out of the systems. While one residence may need the system, another may not, but the bill would not allow for decisions on a case by case basis. Tony Clau, a homebuilder, urged the committee to pass the bill citing that the system was not yet broken but would become so if the law was not passed. The bill passed and was recommended on to the Rules Committee.

The committee also heard HB 1233, which will give the Georgia Public Service Commission the ability to charge utilities for the cost of expert testimony when initiating utility proceedings

□

---

## Senate Finance Passes Fee Bill

By Raegan Weber

CAP 450 (April 12, 2010) – The Senate returned from a week-long Spring Break with an early morning Finance Committee hearing, chaired by Sen. Ronnie Chance (R-Tyrone). The Finance Committee took up key bills that legislators say will ease taxpayer burdens and bring more revenue to the state.

Sen. Greg Goggans (R-Douglas) presented four House bills that he will carry on the Senate Floor, with the most significant being the Fee Bill (HB 1055). Goggans presented HB 1055 as a simple and straightforward bill that deals with outdated and antiquated state fees in order to *decrease* the burden on Georgia taxpayers. When a fee does not cover the cost of the service provided, taxpayers subsidize the user's business, service or license by paying the remaining cost. "By addressing this issue now, users instead of taxpayers will pay the bulk of the cost of services provided," said Goggans.



Goggans went through the bill section by section, pointing to areas that are in desperate need of updating. HB 1055 does not include common user fees such as drivers and hunting licenses and is necessary to balance our significant budget deficit. However, the bill does cover updating such fees as corporation licensing, public airport licens-

*Continued on Page 5*

ing and specific forestry and agricultural licensing fees. One fee specifically addresses individuals appealing driving while under the influence (DUI) license suspensions. These are all examples of licenses that are not utilized by all taxpayers.

The last time the State of Georgia updated the “Forest Protection Fee” was in 1967, when Lyndon Johnson was president. Set at \$0.04 an acre, this fee currently covers only 3% of the cost of this service. The bill updates this fee to \$0.10 to cover a greater percentage of the costs associated with this service. For 31 years, Georgia’s public airports have paid a \$10 licensing fee. This fee applies to airports such as Peachtree-Dekalb and Daniel Field in Augusta, which often cater to private pilots and passengers. The state currently retains only \$960 biennially from this service. The overhead costs to license the airports are significantly higher and therefore legislators suggest raising this fee to \$100 per runway. Georgia’s annual corporation fee is the lowest in the Southeast. Goggans stated that by simply aligning with the Southeast’s average of \$50, Georgia will remain competitive with surrounding states and will account for the inflation over the past seven years since it was last updated. The state will also impose a \$150 fee for individuals appealing DUI license suspensions instead of the state covering the cost of such a proceeding as is currently the practice. Goggans suggested that this will save taxpayers approximately \$3 million per year.

HB 1055 passed unanimously as amended by Sen. Bill Heath (R-Bremen). Heath suggested adjusting the eight-year noncommercial drivers’ licenses fees to \$32 from \$35 just to remain competitive and fair in that area.

Goggans also brought HB 1284 before the committee. This legislation, as passed unanimously by the Senate Finance Committee, adds a definition applying to the Office of Planning and Budget (OPB). The term “fee” is added and means voluntary and mandatory payments including business license fees, application costs, fines, penalties, surcharges, add-ons, or assessments. This bill also requires the budget act to include a report of all fees collected and administered and to include detailed fee information such as:

- The statute authorizing and applicable termination of the user fee;
- The services provided in exchange of the user fee;
- The current rate and date of the user fee; and
- The total amount collected in the previous two fiscal years;

The report must also contain justification for any new fees, changes to fees or termination of existing fees; each new or adjusted fee must show:

- The relationship of the revenue raised and the cost in the service;
- Inflationary pressures;
- Effect on budget if fees are not increased;
- Comparable fees; and
- Policies affecting fee viability.

An audit revealed that 347 user fees within four state agencies have not been updated for many years. For example, the audit found that there were 20 fees that have not been updated for 20 years and six fees that have not been updated for 50 years. “This is another step in providing better government so citizens can see how and why fees are being charged,” said Goggans.

The Finance Committee also unanimously passed HB 1170 which repeals the premium tax exemption on Medicaid and could return up to \$67 million to the state; and HB 994 which authorizes the Department of Community Health (DCH) to establish a schedule of fees for licensure activities for institutions and other health care related entities required to be licensed, permitted, registered or commissioned by the department. Thirty-four other states also charge these licensing fees and DCH is instructed to charge them in an equitable manner. Taxpayers are currently covering the costs of these activities.

□

# Legislative Process Dates

## Important Dates in the Legislative Process

### Introduction - Last day to file and/or 1st Read in Senate.

**30<sup>th</sup> day** - last day to introduce General Senate bills and resolutions (even year). [Rule 3-1.2 (b)]

**30<sup>th</sup> day** - last day to accept General House bills and resolutions. [Rule 3-1.2 (b)]

**39<sup>th</sup> 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.

**28<sup>th</sup> day** - General Senate bills and resolutions.

**38<sup>th</sup> day** - Local Senate bills and resolutions.

**38<sup>th</sup> day** - General House bills and resolutions.

**40<sup>th</sup> 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

**26<sup>th</sup> day** - File with Secretary of the Senate. [Rule 3-1.2 (a)]

**27<sup>th</sup> day** - 1st Reading and referral to committee. [Rule 3-1.2 (b)]

**28<sup>th</sup> day** - Committee report read upon convening. (A recommitted bill already 2nd read - report day 29.)

**29<sup>th</sup> day** - 2nd Reading. [Rule 4-2.6]

**30<sup>th</sup> day** - Passage [Rule 4-2.10 (a)] and immediate transmittal to House. [Rule 4-2.14]

### Local Senate Bills and Resolutions

**35<sup>th</sup> day** - File with Secretary of the Senate. [3-1.2 (a)]

**36<sup>th</sup> day** - 1st Reading and referral to committee. (Cannot pass for 2 days.) [Rule 4-2.4 (c)]

**38<sup>th</sup> day** - Favorable report by committee, passage and immediate transmittal to the House. [Rule 4-2.14]

**39<sup>th</sup> day** - 2nd Reading in House.

**40<sup>th</sup> day** - Favorable report and passage in House.

### General House Bills and Resolutions

**30<sup>th</sup> day** - Transmitted from House and received by Secretary.

**31<sup>st</sup> day** - 1st Reading and referral to committee. [Rule 3-1.2 (b)]

**38<sup>th</sup> day** - Favorable report upon convening and 2nd reading. (Applies to days 36 - 38) [Rule 4-2.6]

**39<sup>th</sup> day** - Passage. [Rule 4-2.10 (a)]

**40<sup>th</sup> 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

**39<sup>th</sup> day** - 1<sup>st</sup> Reading and referral to committee.

**40<sup>th</sup> 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]*

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