



APRIL 21, 2010 - DAY 38

Upper Chamber Report

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TOP STORY

Legislative Day 38: Georgia Senate Passes Balanced Budget and Transportation Funding Solutions

By SPO Team

CHAMBER (April 21, 2010) – The Georgia Senate today passed a balanced Fiscal Year 2011 budget fulfilling the state Constitutional requirement for a balanced budget by June 30. The Senate budget cut \$2.6 billion in state spending. Most state agencies were reduced by more than 20%. The Senate’s version of the budget maintains essential services, like 4-H programs, education, Medicaid and funding for grassroots arts programs.

The FY11 Senate budget is based on State General Fund and Motor Fuel Revenues equal to \$16.5 billion. The FY11 revenue estimate reflects an 18% decline from the original FY09 General budget of \$20.1 billion or a \$3.7 billion shortfall. The median cut to agencies in the Senate version of the budget is 19% from FY09 and 8% from the FY10 General Budget.

Majority Leader Chip Rogers (R-Woodstock) praised the coordination between the Senate and House to pass a balanced budget during the toughest economic environment since the Great Depression. “Just like families throughout Georgia, the Senate looked to reduce spending and make the necessary, fiscally responsible cuts to reduce government but still provide basic services to Georgia citizens. I commend the hard work of so many people and the input from our constituents to accomplish a balanced budget,” said Rogers.



Transportation Chairman Jeff Mullis (R-Chickamauga) presents transportation funding bill

Late into the evening, the Senate and House also agreed on a landmark transportation bill that has been three years in the making. The bill aims to provide the funding necessary to get transportation projects moving across the state in a timely fashion. Known as “The Transportation Investment Act of 2010,” HB 277 divides the state into 12 regions. Each region will have a roundtable of local

elected officials who will work with the Department of Transportation’s planning director to develop a list of needed projects for that region. Voters in each region would then have the opportunity to vote on imposing a one percent sales tax to fund the projects of their choice.

A few key aspects of the bill were debated before the measure moved on to passage by an overwhelming majority. Some lawmakers were concerned that the legislation does not do enough to assist MARTA and its employees. The bill

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does give the transit agency some flexibility in how it uses its funding, but only for three years. Sen. Vincent Fort (D-Atlanta) noted that MARTA is the ninth largest transit agency in the country but also has some of the lowest salaries, and lamented the fact that newly unrestricted funds won't be used to increase MARTA wages.

Sen. Steve Thompson (D-Marietta) raised concerns that the bill will do nothing for rural counties, and that only metro counties stand to benefit.

Ethics reform passes

The Senate unanimously passed Senate Bill 17, the "Ethics in Government Act," which will give the newly created Georgia Government Transparency and Campaign Finance Commission the authority to oversee interactions between lobbyists and legislators. The bill will tighten reporting requirements and increases fines for those who choose to break the law. While focusing on state legislators and lobbyists, the bill also includes regulations that require local officials to file campaign disclosure reports with the Commission. All campaign contribution disclosure reports must list any contribution or expenditure of more than \$100. Current law requires total contributions and expenditures to be reported based on reporting cycle. Under this bill, these reports would be made during the election cycle. The Commission will also make sure that all statewide elected officials and members of the General Assembly file financial disclosure statements electronically.

The bill outlines the policy for which a complaint can be filed and heard when a member of the General Assembly is involved in an act of abuse of power or sexual harassment. Improper conduct is defined as conduct of a member of the General Assembly which is a conflict of interest, an abuse of power, or an illegal use of an employee in a political campaign. Sen. George Hooks (D-Americus) commended his colleagues for embracing such a vital legislation that puts the Georgia legislature at the forefront of ethics reform around the nation. He noted that by "grabbing the [issue] by the horns," the legislature is looking to the future rather than its past.

Using gas chambers to euthanize dogs and cats prohibited

The Dog and Cat Euthanasia Bill (HB 788), sponsored by Sen. Renee Unterman (R- Buford), will prohibit the use of gas chambers to euthanize cats and dogs and allows for intracardial injections only after the cat or dog is unconscious. Sen. John Bulloch (R- Ochlocknee) offered an amendment that sought to give clinics a little over two years to make the transition from gas chamber to injections, noting that the change in law will be costly for many clinics. Many of the clinics use inmates to put the animals down using gas chambers, but if they are required to use a Class 2 drug injection, they'll have to keep the inmates away from the drugs and pay staff to put the animals down. Sen. Bill Heath (R-Bremen) spoke in opposition to the bill, noting that gas chambers are the most humane way to terminate an animal. Heath recounted a personal story where he contracted carbon monoxide poisoning, stating that it was a peaceful, euphoric feeling. He also felt that using a needle to perform euthanasia was unsafe and traumatizing for both the pet and the person administering the injection.

Sens. Gloria Butler (D-Stone Mountain) and Steve Thompson spoke in support of the bill, noting that gas chambers were indeed cruel and that members of the Senate should vote for the bill and against Bulloch's amendment. The amendment was adopted and the bill passed 38-9.

Omnibus sex offender bill

What has been dubbed the "omnibus sex offenders bill" is aimed at updating Georgia's existing sex offender laws, which are considered to be the toughest in the nation despite some provisions having faced constitutional challenges. The bill combines three separate measures related to sex offenders, first allowing Level 1 sex offenders to petition a sentencing court to be removed from the Sexual Offender Registry. There are three levels of sex offenders, and only those who are not considered a threat to public safety would be allowed to petition. Second, it clarifies that consent cannot be used as a defense in student-teacher sex assault cases. Finally, it clarifies the definition of incest to include gender neutrality.

The bill's sponsor Sen. Seth Harp (R-Midland) noted that in 2006, Georgia passed what is the most far-reaching legislation in the nation terms of identifying and criminalizing sexual predators. He admitted that the legislation may have gone too far, as portions have been declared unconstitutional by either Georgia or U.S. district courts. "Once this bill passes, our sexual predator laws will be the strongest in the nation and will pass constitutional muster," said Harp. The bill passed with a unanimous vote. □

Legislative Leaders Lend Strong Voice of Support for Vital Transportation Funding Bill

By Jaillene Hunter and Natalie Strong

ATLANTA (April 21, 2010) – Lt. Governor Casey Cagle and House Speaker David Ralston released the following joint statement regarding the final passage of HB 277, which provides the state of Georgia with a transportation funding solution:

“Today’s accomplishment is yet another example of the House and Senate working together to address Georgia’s most pressing issues. Just as we collaborated to find responsible solutions for the budget, to provide tax cuts, to create a more sustainable water supply, and to expand job growth, the passage of this bill is the result of many hours of negotiation and a willingness to seek out common ground.



“We greatly appreciate Governor Perdue and his office for their input and involvement in this process. We applaud our Transportation Committee Chairmen, Senator Jeff Mullis and Representative Jay Roberts, as well as the members of this conference committee for their commitment to reach an agreement that helps Georgia meet its transportation goals.

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“This bill takes us in the right direction at the right time and will address our congestion problems in metro Atlanta as well as our transportation infrastructure needs throughout the state. It also recognizes the role mass transit plays in solving our transportation needs and will provide relief for MARTA’s budgetary challenges, while we continue to explore ways to ensure the transit system remains financially viable into the future.

“Our regional approach is a flexible and optional solution, which allows for true local input and influence of transportation projects. Just as our state has many diverse transportation needs, a funding mechanism should respect the diverse regional needs and should have the approval of voters. We made it a priority this session to address our state’s transportation infrastructure and we look forward to putting this before Georgia voters for their consideration.”

Senate President Pro Tempore Tommie Williams (R-Lyons) offered his support with the following statement:

“Today, the House and Senate passed real transportation funding solutions for Georgians. This is a practical step toward economic growth which makes Georgia more attractive to potential businesses and residents. Investing in our infrastructure and freight corridors will help us move Georgia products, as well as goods and services, through our state. This is a big first step toward reducing the congestion and gridlock that prevents Georgians from easily getting to their jobs and families.”

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Cagle: Senate Passages Budget that Cuts Spending and Focuses on Essential Services

By Jaillene Hunter

ATLANTA (April 21, 2010) – Lt. Governor Casey Cagle released the following statement upon the Senate’s passage of the state budget:

“As we prepared for a session marked with an unprecedented budget shortfall, we made a commitment to cut state spending and produce a budget that would focus on essential services. The Senate budget cut \$2.6 billion in spending, which includes nearly \$790 million in new cuts identified by our Senators. When you consider that 80 percent of the budget that could be reduced is comprised of K-12 education, higher education, corrections and healthcare, our choices were not easy and most state agencies were reduced by nearly 20 percent or more. We did all of this without raises taxes on Georgia citizens.



“Georgians can rest assured that our priority and focus remained unwavering: to balance the budget in a way that will have the least impact on job creation, families and future economic growth in our state. As state government has shrunk by nearly 24 percent, we worked diligently to protect essential services, such as education and Medicaid.

“Appropriations Chairman Jack Hill, along with our Appropriations Subcommittee Chairmen, worked many long hours to produce this budget and I applaud them for their focused effort,” said Lt. Governor Casey Cagle. □

Lawmakers Include Critical Funding for Georgia Southwestern in State Budget

By Kallarin Richards

ATLANTA (April 21, 2010) – South Georgia lawmakers Sen. George Hooks (D-Americus) and Rep. Mike Cheokas (D-Americus) have included a critical \$6.5 million in the state budget for Georgia Southwestern State University (GSW) to build a new health and human sciences building.

“Building a new health sciences building is a crucial project for the university that will help better prepare students for successful careers,” said Hooks. “Representative Cheokas and I are working hard to ensure that funding remains included in the budget as it moves through the legislative process, and are proud to support an educational institution that brings so much to our community.”

“Getting this project funded was our top priority

this session. It means so much to the nursing program at Georgia Southwestern State University and the Rosalynn Carter Institute,” said Cheokas. “The project is complemented by the new hospital being built and will greatly enhance the quality of health care in our state.”

GSW President Dr. Kendall Blanchard expressed his appreciation to the legislators for their work, saying “I cannot tell you how pleased and excited I am. I also cannot tell you how much I appreciate your yeoman effort on our behalf.”

Funding for the project is included in the Fiscal Year 2011 budget, and the project is expected to be completed over the course of two years. GSW is a four-year institution, founded in 1906 with roots in agriculture and mechanics. □

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)]