



APRIL 27, 2010 - DAY 39

# Upper Chamber Report

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## TOP STORY

### Legislative Day 39: Senators work Quickly to Prepare for Final Legislative Day

By Kallarin Richards

CHAMBER (April 27, 2010) – Despite facing a list of over 50 bills on the day’s calendar, the Senate worked diligently to finish its work before the dinner bell. With only one day left until the end of session, legislators in both chambers have already tackled many key issues and expect a little more breathing room on Day 40. The Senate’s quick work on Tuesday was a testament to the fact that some of the biggest issues, like transportation and ethics legislation, have already been completed.

Day 39 concluded with little debate on the Senate Floor, though a few bills caught the room’s attention when some controversial amendments were introduced.

Sen. Ross Tolleson (R-Perry) made a passionate plea to his colleagues that a bill to allow school boards to refurbish old school buses would endanger children by stretching the safety on old buses. House Bill 936 allows local school boards to use state funds to refurbish existing buses.



*Sen. Ross Tolleson tries to amend school bus legislation*

Tolleson’s amendment would have prevented school boards from using state funds to refurbish buses, restricting funds only to the purchase of new vehicles. He warned lawmakers that once the refurbished buses age, it will be impossible to get bus fleets back in balance, especially if there is no money to pay for what will surely be increased maintenance costs. He called it “an economic disaster waiting to happen,” and that it will put children’s safety at risk.

Sen. John Wiles (R-Marietta) questioned whether it is the legislature’s job to tell local school boards what to do with their money, noting that the original legislation gives them more flexibility in how they utilize their funding. Sen. Nan Orrock (D-Atlanta) also pointed out that the bill could bring additional federal funding to the state to assist in refurbishing buses to encourage better air quality. Other senators questioned whether the amendment favors certain bus manufacturers near Tolleson’s district, to

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

which fellow South Georgian Sen. George Hooks (D-Americus) responded that those companies are homegrown and provide thousands of jobs to Middle Georgia. The amendment eventually failed 10-24, while the bill passed in its original form by a vote of 35-7.

The bill that received the most amendments for the day was HB 1272, which allows Georgians to make contributions for lupus and kidney disease on their state income tax returns. Sen. Bill Heath (R-Bremen) introduced three amendments that he said collectively give the state a tool to measure how much citizens are being under-taxed. Heath said that occasionally he receives calls from constituents who maintain that they are not being taxed enough. His amendments allow taxpayers to write in an additional amount of money to be remitted to the state and used to promote general services. The amendments passed along with the bill.



*Sen. Nan Orrock presents amendment on immigration*

Finally, a Senate resolution was introduced that urges Congress to protect America's borders and to reject demands to establish a legalization program for illegal immigrants. The resolution states that "illegal immigration takes jobs from Americans and lawfully present immigrants and places a heavy burden on the State of Georgia to provide federally mandated benefits and services to illegal aliens." Orrock then presented an amendment that instead urges Congress to modernize the country's immigration laws to address the broken system. She recounted the story of a school teacher who immigrated to Georgia from Thailand, and tried for 12 years to obtain citizenship. Named "teacher of the year," his family owns a local business and is

a contributing member of society, but struggled moving forward in his next step to receive citizenship. She said the system fails those who come to America to work and provide for their family, encouraging her colleagues to "position Georgia as a modern, forward-looking state that addresses immigration in a fair way." While the amendment failed to obtain enough votes for passage, the resolution passed by a vote of 34-9.

Many of the session's hot topics are already on their way to the governor for his approval, yet several important issues remain on the docket to be debated on the last day.

- Details of the Senate and House versions of the budget continue to be negotiated until the final day of session. This is the one piece of legislation the legislature is constitutionally required to pass each session.
- A bill to ban coercive abortions or those based on the race or gender of the child has been approved by the Senate, and is awaiting action in the House (SB 529).
- Legislators in both chambers are still working toward agreement on a lawful carry bill that aims to remove confusing carrying provisions from current law (SB 308).
- An overhaul of the Georgia property tax system is expected to see final passage on Thursday (SB 346).
- Senate and House versions of a bill to prohibit texting while driving have both passed and legislators are working to join the two together (SB 306 & HB 23). □

## Sen. Judson Hill's Health Care Choice Protection Measure Clears General Assembly

By Matt Colvin

ATLANTA (April 27, 2010) – State Sen. Judson Hill's (R-Marietta) legislation protecting Georgia's current rights on health care choice was approved Tuesday by the Georgia General Assembly. Senate Bill 317, authored by Hill and already approved by the Georgia Senate, was added as an amendment to Senate Bill 411 before SB 411 passed the Georgia



House of Representatives. The addition of Hill's language would prohibit mandatory participation in any health care system.

"I want to thank the General Assembly for joining me to pass legislation shielding Georgians from unwanted and unnecessary federal involvement in our health care decisions, said Hill. "I have said throughout this process that each person should have the right to purchase private health care, purchase government health care, or exercise their right not to purchase any health care at all. My measure simply protects the basic rights of choice that we all currently enjoy today by not allowing the federal government to force an unconstitutional mandate on Georgia's citizens or punish anyone for not buying health insurance," said Hill.

Hill's original language in SB 317 ensures Georgia's citizens would be protected from being forced into government-run health

care. Existing private and government programs would not be affected by this legislation. Hill told committee members this measure also prohibits any government from punishing an individual or business that does not participate in such a health plan, as well as protect health care providers from being forced to perform mandated medical procedures.

SB 411 was authored by State Sen. Ralph Hudgens (R-Hull) allowing individual and group health insurance plans to include and operate wellness and health promotion programs that provide rewards or incentives for Georgians involved in good health and preventative measures. SB 411 expands on a 2008 measure Hill authored giving Georgians refunds on health insurance premiums for staying healthy.

SB 411 will now head back to the Senate for final approval before heading to Governor Perdue's desk to be signed into law. □

## House passes Sen. Thomas' Seat Belt Legislation

By Katie Wright



ATLANTA (April 27, 2010) – The House of Representatives voted to save Georgians' lives today by passing Senate Bill 458, Sen. Don Thomas' (R-Dalton) seat belt legislation, which closes the pickup truck loophole in current seat belt laws. The bill passed with a vote of 132-29.

"This legislation is a long overdue, life-saving step for all Georgians," said Thomas. "I am thankful we could all work together to ensure the passage of legislation that will prevent unnecessary deaths and injuries while saving money."

In Georgia alone, over 67 percent of pickup truck related deaths came from those not wearing a seat belt. Closing the pickup truck loophole will save Georgians \$25 million in

Medicaid costs over a 10-year period. Additionally, Georgia will become eligible for federal incentive grants from the Traffic Safety Institute once this legislation is passed.

Current law requires each occupant of the front seat of a car, van, or SUV to be restrained by a seat belt. This legislation redefines the term "passenger vehicle," requiring all passengers in the front seat of a pickup truck are restrained by a seat belt. The bill exempts off-road and pickup trucks involved in agricultural operations. □

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## Staton's Penalty Increase for Illegal Massage Parlors Passes General Assembly

By Matt Colvin

ATLANTA (April 27, 2010) – Legislation aimed to help law enforcement officials stop suspected illegal activities at massage parlors and spas was overwhelmingly approved by the Georgia House of Representatives Tuesday at the State Capitol. State Sen. Cecil Staton (R-Macon) authored Senate Bill 364 to give local police and prosecutors additional resources and provide for more severe penalties by clearing up several loopholes in Georgia law. SB 364 would also allow more local control and regulation for enforcing the increased penalties.

"I want to thank the entire General Assembly for joining me to pass legislation our local law enforcement and prosecutors desperately need to help them crack down on illegal massage parlors here in middle Georgia and around our state," said Staton. "In order for them to properly rid our communities of this illegal activity they need some more firepower added to current state laws. By increasing penalties on the employees and the owners involved in any criminal behavior, we have given local officials the ability to go after and shut down these illegal operations for good."

SB 364 seeks to amend Georgia law by increasing the penalties for convictions including misdemeanor charges for the first offense, an aggravated misdemeanor for a second offense; and a third or subsequent offense will be a felony with imprisonment for one to 5 years and/or a \$25,000 fine per offense. In addition, spa owners and operators can also be held accountable if they are proven to be involved in illegal activities at massage parlors and spas. Under the proposed law, local governments could become more involved with the regulation of massage parlors in their area.

The House passed SB 364 by a 150 to 8 vote with several changes. The measure will now head back to the Senate for final approval before heading to Governor Perdue's desk. SB 364 would go into effect either July 1 or immediately following the governor's signature. □

# 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)]