

FEBRUARY 3, 2010 - DAY 10

Upper Chamber Report

Raegan Weber, Press Director
Kallarin Richards, Editor in Chief



TOP STORY

Legislative Day 9: Senate Prepares for Full Week of Legislative Days in Chamber

By Katie Wright

CHAMBER (Feb. 1, 2010) - The Senate is preparing for a full five days in Chamber this week, moving forward with the business of Georgia. Legislative Day Nine began with first readers and roll call as usual, followed by the Chaplain of the Day, Rev. Ledlie Conger. Sen. Bill Hamrick (R-Carrollton) hosted Rev. Conger and in his introduction, Hamrick talked about the respect he had for the reverend's intelligence and spirituality.

Sen. Donzella James (D-College Park) hosted the Doctor of the Day, Dr. Angela Shannon. Dr. Shannon completed

Daily business continued Points of Personal Privilege, where senators have the opportunity to make announcements and present legislation.



Sen. Greg Goggans (R-Douglas) proposed legislation that would establish a constitutional amendment to eliminate the tax exemption currently in place on the sale of lottery tickets.

Sen. Valencia Seay (D-Riverdale) reminded senators that National Wear Red Day, a National Heart Association event, is this Friday. She encouraged everyone to wear red and show support of the fight against heart disease in women.



Following Points of Personal Privilege, Lieutenant Governor Casey Cagle

much of her training in the Atlanta area at Emory University and she specializes in pediatrics. adjourned the Senate. □

Senator Rogers Announces Major Overhaul of Georgia Property Tax System

By Raegan Weber

ATLANTA (Feb. 1, 2010) – Senate Majority Leader Chip Rogers (R-Woodstock) today announced a much-needed overhaul of Georgia's property tax system. After collecting information and input from property owners, assessors and local governments, Rogers presented a property tax assessment and appeals reform bill with more than 40 changes to the tax system.

"The collection of taxes should be fair, transparent, and easy to understand. Sadly, the property tax in Georgia accomplishes none of these things. This legislation attempts to bring fairness to an unfair system," said Rogers. "Georgians from all over the state created this legislation. During my eight years I have never witnessed an issue where everyone agreed the current system is broken. We have had hundreds of suggestions for change. The more than 40 changes represented in this bill represent the will of the people and will bring needed relief to property owners."

Property values in Georgia have fallen drastically over the past few years. Assessed values have not kept pace, resulting in property taxes for many property owners being artificially

high. Rogers created and chaired the Property Tax Assessment Committee to look into the issue. Homeowners, business owners, tax assessors, and property lawyers testified to present the flaws, challenges and suggested solutions to the system. As a result, Rogers worked with everyone in the industry and achieved bi-partisan support to overhaul Georgia's property tax system.

"Ultimately, the property tax must be eliminated. However, the political will for a complete and drastic repeal is not possible at this time. That sort of change

takes place gradually and this is just the beginning," said Rogers.

Changes to the assessment and appeals system include year-round assessment appeals, all comparable sales including foreclosures and banks sales must be applied, and the "view factor" will be eliminated as a way to determine value. The proposed changes to assessments and appeals relieve burdens from property owners, but also achieve efficiency for the process and for county governments. □

Property Tax Assessment & Appeals Reform Highlights

- Year-round property assessment appeals
- Every property shall receive notice of assessment every year
- Statewide uniformity of assessment notice & appeal forms
- Sales price of "Arms-Length" transactions shall be maximum assessed value for following tax period
- Tax assessor shall apply all comparable sales including foreclosures and bank sales
- Allow counties to accept payment plans for property taxes
- Allow for Commercial Appraisers to substitute for Board of Equalization on Commercial properties
- Establish time limits for assessor action in response to appeals
- Department of Revenue shall update assessor guidelines and training no less than once every five years and all info shall be placed online
- View Factor shall not be used to determine value
- Unanimous vote by Board of Equalization members required to increase assessed value
- Current Use and not "Highest and Best" value shall be used to determine current assessed value

Constitutionality of Health Care Reform Debated in Judiciary Committee

By Kallarin Richards

CLOB 307 (Feb. 1, 2010) – The Senate Judiciary Committee passed several resolutions aimed at federal health care reform efforts. Sen. Seth Harp's (R-Midland) Senate Resolution 795 would amend the Georgia Constitution to prohibit any law that restricts citizens from choosing private health insurance, interferes with a citizen's right to pay directly for lawful medical services or penalizes those who choose not to purchase health care coverage. Sen. Harp noted that the resolution comes in direct response to health care reform efforts in Washington, and aims to protect Georgia citizens against federally mandated health care programs and penalties.

The committee then voted to pass a measure from Sen. Judson Hill (R-Marietta) that urges the Georgia attorney general to investigate the constitutionality of the U.S. Senate's health care bill. Two matters are called into question, beginning with the methods in which the Senate obtained the 60th vote needed to pass the bill. Senate leaders included an exemption called the Nebraska Compromise, which guarantees Nebraskans that they will not have to pay for expanded access to Medicaid benefits under the bill, thereby obtaining Nebraska Sen. Ben Nelson's vote. Sen. Hill's resolution states that such a compromise violates the principle that federal legislation must have a legitimate national interest and cannot benefit

any one state over another. The attorney general is also encouraged to investigate the constitutionality of a federal mandate that requires all Americans to participate in a national health insurance program. Sen. Hill presented the measure in the form of two resolu-



tions, one on behalf of the Georgia State Senate (SR 829) and another on behalf of the entire Georgia General Assembly (SR 830).

Sen. Ron Ramsey (D-Decatur) commented that while Georgia faces over a billion dollar deficit, he is concerned with the attorney general spending state resources investigating what is only proposed legislation. Sen. Vincent Fort (D-Atlanta) echoed his sentiments, and both senators voted against the legislation. □

Senate Public Safety Committee votes in favor of increased Identity Protections

By Raegan Weber

CLOB 310 (Feb. 1, 2010) – Members of the Georgia Senate Public Safety Committee unanimously voted to further protect Georgians' identities after their driver's license is reported lost or stolen. State Sen. Judson Hill (R-Marietta) sponsored and presented Senate Bill 287 (SB 287), which requires the Department of Driver's Services (DDS) to issue a replacement driver's license or permit with a new number for any person whose current license or permit was lost or stolen. DDS must also either remove the previous license number from the data base of valid licenses or indicate in the data base that the license associated with the number has been reported as stolen or forged and is no longer active or valid.

Hill testified before the committee that many times citizens will report their license lost or stolen and they are reissued identification with the same ID number. Too many times the lost or stolen cards are not properly noted in the state data base. This situation could result in identity theft. SB 287 now goes to the Rules Committee before going to a vote on the Senate Floor.

The Public Safety Committee also took up Sen. Johnny Grant's (R-Milledgeville) Senate Bill 324, authorizing the Georgia Peace Officer Standards and Training Council to impose administrative fees for any authorized services that it provides. These fees are not new or additional. The legislature is simply codifying fees that are already in place. SB 324 was unanimously approved by the committee. □

Natural Resources and the Environment Committee Discuss Permitting Non-Native, Injurious Snakes

By Natalie Strong

CAP 450 (Feb. 1, 2010) - The Natural Resources and the Environment Committee met on Monday to discuss Senate Bill 303, the Wild Animals Permits Bill focusing on pythons and anacondas. SB 303 was authored by Sen. John Douglas (R- Social Circle) as a proactive response to a growing problem with non-native injurious reptiles currently in Florida, which is expected to spread north to Georgia. The bill would require owners to purchase a permit for their pet as well as have their pet micro-chipped in order to better monitor the snake population in Georgia. Sen. Douglas noted how dangerous this problem could become citing a specific case in Florida where a three-year-old girl was killed by her family's pet python.

Jason Clark, of the Southeast Reptile Rescue Center, showed his support for the bill, but asked members of the committee to change the \$236 per year licensing fee to an every other year fee. Clark voiced concern over the chipping requirement, stating that this would be another added expense to the snake owner which might become a burden that lead to more snake owners releasing their snakes in to the wild.

Christina Smith, a private citizen, spoke about her hobby, raising smaller snakes, and voiced her concern of the negative impact the legislation would have on the business owners. She felt that they will need to be heavily reviewed by those within the industry to determine the long-term effect on commerce.

Dan Forrester, with the Department of Natural Resources, spoke in support of the bill. He was confident that even with the new licensing requirement, DNR would be able to facilitate the change without a burden of need for extra funding. He felt the bill would be a positive change, without negatively affecting commerce. Forrester noted that the licensing would require casual pet owners to reassess their responsibility as a pet owner and create more conscientious, better educated snake owners in Georgia.

Finally the committee heard from Glen Allen of the Georgia Wildlife Federation. Allen commended the bill and noted that it would be no different than being permitted in falconry. He noted that the overall tone of the bill would connect ownership with responsibility.

Ethics Committee Hears More Expert Testimony

By Adam Sweat

CLOB 506 (Feb 1, 2010) – In continuation from a previous meeting involving both the House and Senate Ethics committees, Doug Chalmers, a noted ethics attorney, testified before both legislative bodies in an effort to aid the General Assembly in ethics reform. Michael Jablonski, general counsel to the Democratic Party of Georgia, was also on hand to further assist state lawmakers as they gear up for debate over the vital issue.

Chalmers appeared before the committee to testify about campaign finance disclosure, lobbying, and personal finance disclosure. He suggested that the law currently lacks a coherent definition of the term non-profit. His concern over this definition stems from the fact that excess funds from campaigns can be donated to non-profit organizations, which includes political action committees.

Both Chalmers and Jablonski agreed that there needs to be a better clarification over what to do with excess campaign funds that remain after an election. Currently, there is no regulation over what those monies can be used for, which allows for the funds to be spent at the discretion of the candidate. However, Jablonski believed that campaign transfers should be prohibited, while Chalmers feels that those who contributed to one candidate's campaign would not be offended if the money was transferred to a candidate with similar ideals.

The definition of lobbying also was brought to the committee's attention, which is currently very unclear in its current form. Chalmers discussed the possibility of a gift ban while also talking about requiring them to report bundle donations, as well as requiring lobbyists to disclose the names of their clients.

All these ideas were brought before the committee to help increase transparency of all donations to Georgia lawmakers. It is believed that these measures will help build a level of trust between those that govern and the general public which has waned in recent years. □

ity.

Chairman Tolleson recommended that Sen. Douglas work further with members of the industry, snake owners, and DNR in order to reach a compromise on certain issues in order to strengthen the bill. The bill was held over in committee. □

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)]