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2008 UPCOMING SESSION ISSUES

This document is a report of selected issues that are likely to be addressed during the 2008 Session of the Georgia General Assembly, and is solely intended to provide a general overview. This document also contains an index of pending legislation. If more information on a particular area of interest is needed, please contact the Senate Research Office.

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AGRICULTURE AND CONSUMER AFFAIRS

Agricultural Commodity Commissions

Senate Bill 165, which passed during the 2007 Legislative Session, ratified the following agricultural commodity commissions that were formed after the enactment of the Georgia Agricultural Commodities Production Act of 1961: Soybeans, Canola, Pecans, Corn, and Vegetables.

Senator Bulloch held a meeting in October to discuss the commodity commissions as a whole, and individually. Members of various commodity commissions attended this meeting and a majority of them provided Senator Bulloch with possible changes to current law to improve the operation of the commodity commissions. Significantly, the members seek clarity in current law regarding the oversight of expenditures, as well as a formal procedure for the selection of their members. Legislation may be introduced to address these concerns.

BANKING AND FINANCIAL INSTITUTIONS

Mortgage Lenders

The collapse of the subprime mortgage industry has had far-reaching consequences on the U.S. economy. Unfortunately, Georgia has been at the forefront of this crisis, as the state has one of the highest rates of residential foreclosures in the nation. On both the state and federal level, lawmakers have been examining ways to prevent this situation in the future. One possible solution may be to require more specific disclosures to consumers about the terms of their adjustable rate mortgages, including information on when and how new payment amounts will be calculated after the expiration of an introductory rate and what other fees and expenses must be borne by the consumer. Although such information should be disclosed to consumers now, many borrowers complain that they do not adequately understand the terms of their mortgage, and thus more specific disclosure requirements may be beneficial. Legislators might also examine the possibility of providing stricter requirements for lenders in assessing the repayment ability of borrowers.

Additionally, lawmakers may consider the issue of the foreclosure process itself. Georgia, along with a slim majority of other states, allows for non-judicial foreclosures, meaning that a lender may initiate foreclosure proceedings without first petitioning the court if the mortgage contract includes a "power of sale" clause. Typically, a foreclosure in Georgia takes 60 to 90 days to complete. Other states have more rigorous requirements for foreclosures, however, and state legislators may wish to consider whether Georgia homeowners are given adequate notice in the event they default on a mortgage loan.

Credit Freezes

Since 2001, 39 states and the District of Columbia have enacted laws giving some or all of their citizens the ability to place a freeze on their credit reports as a way to prevent criminals from opening lines of credit in their names. Georgia is currently one of 11 states that have not yet passed credit freeze legislation, although three bills - House Bills 35, 38, and 130 were introduced during the 2007 session that would have guaranteed Georgia consumers the right to freeze their credit reports. This fall, the three major credit reporting agencies, TransUnion, Equifax, and Experian announced plans to allow consumers residing in states without credit freeze laws to take advantage of this safeguard against identity theft. Under the three plans, residents of the 11 states without a law, including Georgians, may place a credit freeze for free if they are identity theft victims; otherwise consumers in these states will be charged \$10 by each of the agencies to place, temporarily lift, or permanently remove a credit freeze.

In spite of the credit reporting agencies' recent change of policy, legislators might still consider enacting credit freeze legislation allowing consumers to place credit freezes for a fee lower than \$10. Eleven states have laws guaranteeing all consumers the right to place a first-time credit freeze for a fee lower than \$10 (most commonly \$5). Additionally, eight states allow senior citizens to freeze their credit reports for free. Besides the issue of fees, state laws differ in the amount of time in which the reporting agencies must comply with a request to temporarily lift a credit freeze. Most states with credit freeze laws require that reporting agencies comply with such a request within

three business days. Tennessee, Utah, and Wyoming, however, have laws allowing their residents to have a freeze lifted within 15 minutes by making an electronic request to a reporting agency, a convenience that Georgia lawmakers might consider.

Securities Bill

Georgia's Securities Act was adopted in 1973 and has not been significantly updated since that time. In the past 35 years, a variety of changes to federal law as well as such developments as the consolidation of the National Association of Securities Dealers with the New York Stock Exchange to create the Financial Industry Regulatory Authority have created a need for a revision of Georgia securities law. This summer and fall, the Senate Banking Committee held a series of hearings on proposed legislation for 2008 that is modeled on the Uniform Securities Act of 2002.

ECONOMIC DEVELOPMENT

The Study Committee on Increasing the Cargo Capacity at Georgia Ports

The Study Committee on Increasing the Cargo Capacity at Georgia Ports held its first meeting October 30th at the Lake Blackshear Resort in Cordele. Studies have concluded that the method of unloading ships in Georgia ports could be improved by taking cargo containers off ships and loading them onto rail transportation to be taken to off-site loading areas; thereby, increasing our ports capacity for containers and positively affecting the economic impact Georgia's Ports have on our economy. The state-wide economic impact of Georgia ports is reflected in the following figures:

- Sales of \$35.4 billion (7 percent of Georgia's total sales);
- Gross state product: \$17.1 billion (6 percent of Georgia's total GSP);
- Income: \$10.8 billion (4 percent of Georgia's total 6 personal income);
- State and local taxes: \$1.4 billion;
- Federal taxes: \$3.2 billion;
- State-wide employment: full and part-time jobs 275,968 (7 percent of Georgia's total employment).

EDUCATION AND YOUTH

Career Academies

The Lieutenant Governor's Career Academies initiative passed through the Senate but did not receive a vote on the floor by the House of Representatives during the 2007 Legislative Session. A career academy is a specialized charter school established by a partnership between a local board of education, or a group of local boards, with a local technical college. Senate Bill 68, known as the Career Academies Act, was introduced with the intention of increasing state graduation rates and potential job and educational opportunities for students. Start-up funds will be distributed by the State Board of Education to eligible start-up career academies.

Statewide Standards for Honors Courses

Senate Bill 75 was introduced in 2007 to include honors courses in the list of coursework where a student may receive a weighted grade. The bill also sets a deadline of December 31, 2009 for the Georgia Department of Education to establish minimum standards for honors courses. This legislation passed the Senate and is awaiting action by the House of Representatives.

Senate Study Committee on the Quality of Child Care in Georgia

Created by Senate Resolution 426, the Senate Study Committee on the Quality of Child Care in Georgia was formed to study and create a system that will improve the quality of out-of-home care that Georgia's children receive and to better inform parents about the care their child receives. The Committee will adjourn in December 2007 with possible recommendations for legislation during the 2008 Legislative Session.

ETHICS

Special Elections

Introduced in 2007, SB 71 would have limited the number of dates on which special elections to submit questions to the voters may be held. According to the bill's provisions, in odd-numbered years, such an election could be held either on the third Tuesday in March or on the Tuesday after the first Monday in November. In even-numbered years, these special elections could be held on the date of a presidential preference primary, the date of a general primary, or the Tuesday after the first Monday in November. Special elections historically have low voter turnouts while still resulting in a significant expense to counties. In an effort to conserve taxpayer money while encouraging greater voter participation, the issue of when special elections may be held may arise again in 2008.

FINANCE

Tax-Related Issues

Tax Reform appears to be one of the big issues looming in the 2008 Legislative Session.

There are various aspects of tax reform being discussed. It is the Speaker's GREAT Plan that is receiving much of the attention. The Speaker's plan is entitled the Georgia Repeal of Every Ad-valorem Tax, and is based on the Speaker's House Resolution 900. Under the Speaker's plan, the statewide sales tax would be broadened to include, in addition to retail transactions, most service transactions including professional services. The GREAT plan would also eliminate many of the statewide sales tax exemptions which equal about \$10 billion annually in lost revenue. Currently, local ad valorem taxes for school board purposes on real property would be eliminated; lost local revenues would be reimbursed by the state back to the local school boards based on population and Full Time Enrollment figures. Additionally, ad valorem taxes on vehicles would be eliminated.

There exists a Senate plan, as well. The Georgia One Tax is similar to the Speaker's plan. Most statewide sales tax exemptions would be eliminated, and the sales tax would be expanded to include service transactions; however, the difference rises in that the Senate plan eliminates the state income tax and raises the statewide sales tax rate to about 6 percent. The Senate plan does not burden local government home rule.

The issue of statewide sales tax exemptions is receiving much notice from the press. Exemptions have historically been granted by the Georgia General Assembly for reasons of equity, fairness, charity, and for economic development purposes. Currently, goods such as food for home consumption, prescription drugs, and medical supplies for home use are exempt under the Georgia Tax Code. Numerous industries in Georgia enjoy sales tax exemptions to encourage their location and expansion in this state.

On the issue of expanding sales tax to more services, Georgia taxes services more narrowly than most other states. Most services in Georgia are exempt from taxation resulting in an uneven system. Georgia currently taxes 36 out of 164 possible services. Disadvantages with taxing services include difficulty setting a "site" of the service transaction.

Two Senate study committees may recommend legislation regarding various taxes. The Senate Communications Taxes, Fees and Telecommunications Franchising Process Study Committee and the Senate Cigarette Tax Evasion Study Committee both held hearings to consider the merits of various tax reform. The former study committee may recommend legislation eliminating the sales tax on business inputs of communication service providers; this elimination would mirror the tax exemptions for manufacturers. Additionally, the latter study committee may recommend legislation authorizing the Department of Revenue to implement new cigarette stamping technology which would prevent stamp counterfeiting.

HEALTH AND HUMAN SERVICES

Shortage of Doctors and Nurses in Georgia

The Senate Study Committee on the Shortage of Doctors and Nurses in Georgia has been meeting across the state to address growing concerns regarding the current shortage of Georgia's medical workforce, as well as the future of medical professions in this state.

New research published by the Georgia Board for Physician's Workforce (Board) indicates that Georgia currently ranks 40th in the nation with regard to the per capita number of physicians practicing in the state. Georgia's population is growing at a rapid rate and will ultimately require the introduction of a large number of both new physicians and nurses just to maintain current capacity. Furthermore, as the population increases, Georgians are also aging and will require greater levels of care. Baby boomer doctors and nurses are retiring, while younger medical professionals are working fewer hours and focusing more on family life. Data by the Board also specifies that the current medical education system in our state, including physician residency programs, must be enhanced and expanded to meet the growing number of students entering Georgia's medical schools. According to the Board, all of these issues indicate a need for immediate action.

Childhood Obesity

The Senate Study Committee on Diabetes and Childhood Obesity was created during the 2007 Legislative Session to address the obesity epidemic and the prevalence of diabetes currently affecting children in Georgia. The Committee agrees that the legislature should confront this issue during the upcoming session and recommends that schools be the primary focus of any legislation, specifically with regards to physical education and improved nutrition.

Stroke Care

Created during the 2007 Session of the Georgia General Assembly, the Joint Study Committee on State Stroke System of Care has been holding meetings this summer to consider how to create a less fragmented and more effective system for the treatment of stroke victims. Strokes are the third leading cause of death in the United States and one of the most common causes of adult disability. Moreover, as part of the "stroke belt," Georgians are disproportionately affected by this condition. To reduce the likelihood and extent of permanent disability, it is critical that stroke patients be treated as soon as possible. However, many in the general public are unaware of how to recognize a stroke and of the importance of immediately seeking medical help. Moreover, one of the most serious complications in stroke treatment is the lack of access to neurologists in many rural areas. The Committee has been working with representatives of the American Heart Association/American Stroke Association and members of Georgia's medical community to devise ways to form a more unified and effective system of stroke care within the state. Possible initiatives that the committee has been considering include telemedicine programs, the creation of a tier system for certifying Georgia hospitals as primary stroke care centers, better training for EMS personnel on handling stroke patients, and additional public education.

PeachCare/SCHIP

At the federal level, SCHIP is still unresolved as President Bush has vetoed two bills this fall reauthorizing the program. The most recent version vetoed would have: (1) set the income limit at 300 percent of the federal poverty level; (2) clarified that illegal immigrants are not eligible for coverage; and (3) phased-out adult coverage, except for pregnant women, in one year instead of two. House Speaker Nancy Pelosi has called for a January 23 vote on whether to override the latest veto.

In light of the President's veto, Congress has extended SCHIP funding, including funding for PeachCare, for another week to ensure that the program is not forced to close. However, the future of the SCHIP program remains unknown, as it has been running on a month-to-month basis since October. Democratic leaders stated that they will approve supplemental funding to ensure that Georgia and other shortfall states do not have to cut coverage. Without supplemental funding from Congress, Georgia and 20 other shortfall states will run out of federal dollars in March. It is estimated that Congress will have to add as much as \$10 billion to current spending levels to ensure these states are not forced to freeze enrollment. The Commissioner of the Georgia

Department of Community Health has indicated that PeachCare's enrollment will not be increased beyond 295,000 until it is known what level of funding will be received from the federal government for 2008. If the program extension is funded at the 2007 level, Georgia will be forced to consider reductions in enrollment or benefits. Currently, there are 274,440 children enrolled in PeachCare.

Grady

Skyrocketing medical costs, the growing number of uninsured patients, and declining payments from its funding sources have created a dire financial situation for Grady Memorial Hospital, which has operated in the red for 10 of the last 11 years and is over \$370 million in debt. Grady is currently losing \$8 million per month and is facing a deficit of \$55 million this year. The hospital also estimates that it needs as much as \$300 million in improvements to its infrastructure and modernization of equipment and technology. Because it is a publicly operated hospital, Grady cannot declare bankruptcy; therefore, it could be forced to close by the end of the year without millions of dollars in new funding.

Grady is one of the oldest charity hospitals in the country and provides medical care to the poorest of the poor. Moreover, it is a premier teaching hospital, as 1 in 4 doctors practicing medicine in our state trained at Grady. The hospital also employs more than 5,000 people, has 953 patient beds, and treats more than 1 million patients each year, 93 percent of whom are uninsured. Grady is one of only four Level One trauma centers, one of only two burn units, and the only poison control center in Georgia. If Grady is forced to close its doors, our state will be in a crisis. Other area hospitals will experience a "patient tsunami," and trauma care will be significantly jeopardized.

Pursuant to recommendations by the Greater Grady Task Force, The Fulton-DeKalb Hospital Authority Board recently voted unanimously to relinquish management of the hospital to a nonprofit governing board, subject to certain conditions, including: a \$200 million, four-year commitment from business, charitable and philanthropic communities, (including \$50 million in cash or escrow before the agreement is executed); a commitment to raise \$100 million in private donations over three years by these same groups; and, \$30 million from the state of Georgia, to which the Governor, Lieutenant Governor and Speaker of the House must commit in writing. It is likely that the legislature will be asked to confront this situation during the 2008 Session.

INSURANCE AND LABOR

The Insurance Premium Tax

Traditionally, insurance companies are taxed on the premiums they write. Georgia's insurance premium tax rate is currently one of the highest in the nation and over twice the national average. The revenue from the premium tax has proven to be a great windfall for the state and local governments in Georgia. In 2004 alone, the premium tax generated over \$300 million for the state and over \$335 million for local governments. All state revenue collected from the premium tax is deposited in the state's general fund.

Tax Rate and Structure

The structure of the insurance premium tax in Georgia is quite simple, and since 1955, there has been no change in the premium tax rate or in the tax base. The tax base is the gross direct premiums received on policies issued in Georgia. Georgia's tax rate is 2.25 percent. The state also collects an additional tax on premiums and disburses it to local governments. These local taxes are an additional 1.0 percent of the life, accident and sickness, and HMO premiums, and 2.5 percent of property and casualty premiums. Therefore, the true tax rate on property and casualty premiums is 4.75 percent while life, accident and sickness, and HMO premiums are taxed at 3.25 percent.

Retaliatory Tax

Authorized under O.C.G.A. §33-3-26, the retaliatory tax essentially penalizes a company domiciled in a state with a premium tax rate that is higher than that of Georgia. Likewise, a Georgia company writing in a state with a premium tax rate lower than Georgia's will have to pay the computed difference to that particular state. For example, if a Tennessee property and casualty company writes a policy in Georgia, it pays Georgia's 4.75 percent tax. If a Georgia company sells a policy in Tennessee, which

has 2.50 percent rate, Tennessee collects its 2.50 percent plus the 2.25 percent difference from the Georgia-based company. In the simplest of terms, a Georgia-based insurer writing policies in any state with a lower insurance premium tax than Georgia's will always have to pay Georgia's 4.75 percent rate.

Possible Action

The reduction or eventual elimination of the state's portion of the premium tax would significantly reduce a Georgia-based insurer's burden of paying the retaliatory tax when writing in other states. A reduced tax would also encourage new insurers to move to Georgia while preventing Georgia-domiciled companies from re-locating to other states. Finally, a reduced tax would benefit the consumer by lowering insurance premiums.

Unemployment Insurance Program

Unemployment insurance (UI) pays temporary cash benefits to workers who have lost jobs through no fault of their own. The UI system is administered as a federal-state partnership. To finance the program, the State levies and collects payroll taxes from employers. The State undertakes most UI administrative activities related to both paying benefits and collecting from employers the payroll taxes that support the program. The funds collected are managed in a trust fund administered by the federal government.

For 2008, a majority of Georgia's 200,000 employers will see their unemployment insurance taxes slashed by a combined \$100 million. Georgia now has the second most solvent unemployment insurance trust fund and the lowest unemployment insurance tax rates in the Southeast. However, history has shown that the trust fund's solvency is fleeting and can become very unstable during periods of high unemployment. Some of the specific issues the legislature may address in 2008 concerning the unemployment insurance program include the following:

- The UI system operates counter-cyclically, paying out benefits during recessionary times and collecting revenue during recovery times. Is there a better alternative to this pattern which would provide for a more stable trust fund balance in times of recession and recovery periods?
- How many months' worth of benefit payments should Georgia's UI trust fund maintain to provide an adequate reserve of money available to be paid as benefits?
- What is the ratio of Georgia's UI trust fund balance to Georgia's annual total wages in covered employment that would fund an adequate reserve?
- Is Georgia's UI experience rating system and benefit financing model sound and sustainable? Should the system and the model be amended or revamped?

Uninsured/Underinsured Motorist Coverage

Uninsured/Underinsured motor (UM) vehicle coverage is an optional portion of an auto insurance policy that protects a policyholder from uninsured, underinsured, and hit-and-run drivers. Current law allows an injured party to collect on vehicle damages from the at-fault driver plus the injured party's UM policy only up to the amount of their UM coverage. For example, if an injured party's UM coverage limit is \$50,000, but has sustained \$75,000 in damages, the injured party can never claim an aggregate of more than \$50,000 from the at-fault driver and their own UM coverage; even if the two policies, combined, equal or exceed \$75,000. Senate Bill 276, now pending in the House, allows the injured party to "stack" or combine both coverages.

Property and Casualty Rate Regulation

All property and casualty insurers licensed to operate in Georgia must file all premium rates, underwriting rules, and policy forms with the Property and Casualty Division of the Insurance Commissioner's Office. The division ensures that all property and casualty insurance rates, rules, and forms used in Georgia comply with state law. Each year, the Property and Casualty Division receives an average of 6,000 rate and rule filings annually from insurance companies, self-insured trust funds, or rating organizations. Rate filings are evaluated to determine if they meet Georgia's legal standards prohibiting rates that are excessive, inadequate, or unfairly discriminatory.

The Senate Study Committee on Property and Casualty Rate Regulation is studying the benefits and drawbacks of modifying or deregulating the way rates are being regulated. There are several different approaches a state's insurance commissioner can use to address rate filings. In practice, most states have adopted a combination of the following approval methods. For example, Georgia requires prior approval from the Commissioner before any private passenger automobile insurance rate increases can be implemented, while most other lines of insurance are regulated under the file and use system. Regardless of which approach a state applies, a state's insurance commissioner generally reserves the right to disallow rate filings within a certain period of time if they are deemed inconsistent with the principles of rate regulation. Legislation may be introduced in 2008 implementing a use and file system which allows filings to become effective when used. The insurer must still file rates, rules, etc., with the Insurance Commissioner within a specified time period after first use.

Prescription Drugs and Prior Authorization

Traditionally, insurers use a number of utilization controls on the use of services to control costs and to ensure that only medically necessary services are reimbursed. Consequently, an insurer may apply a cost-saving process on prescription drugs, such as: a requirement for prior authorization, exclusion of specific drugs, limits on the number of brand name drugs that can be prescribed for a patient, or a requirement that drugs be on a "preferred" list in order to be covered. Prior authorization simply means that the insurer requires the prescribing provider to seek prior approval from the insurer for an otherwise covered outpatient drug. The process, however, is an inconvenience to physicians, pharmacists, insurers, and patients.

Based on testimony, the Senate Study Committee on Prescription Drugs has determined that prior authorization is ultimately approved between 87 and 99 percent of the time. This only serves to reinforce the notion that prior authorization is not only unnecessary, but it is also an inconvenience, burden, and cost to providers, pharmacists, insurers, and patients. The Committee believes that the best drug is most often selected by the provider and not by the insurer or PBM. Legislation may be introduced in 2008 that restricts or prohibits the practice of prior authorization in Georgia.

JUDICIARY

Rights Relating To Reproductive and Genetic Technology Study Committee

- This Senate Study Committee, created by Senate Resolution 280, held its first meeting on August 27th in Atlanta. The Committee heard testimony from: Dr. Andrew Toledo, Reproductive Biology Associates; Ms. Ruth Clairborne, an attorney specializing in reproductive rights; Ms. Renee Whitley, President of the Georgia chapter of RESOLVE, a patient advocacy group; and Mr. and Mrs. Jane Deaver, parents who have undergone fertility treatments.
- Sophisticated reproductive technology allows for the preservation of eggs, sperm, and embryos to be used at a later date. A large amount of genetic material, donated by men suffering from cancer or heading off to war, is now being deposited in cryogenic storage banks for future use. Healthy sperm can even be extracted after a man's death, frozen for years, and then used to conceive a child.
- Due to the development of these new technologies, property rights issues have been raised relating to the ownership rights of embryos in divorce actions. Questions have also risen as to whether a deceased donor of sperm or eggs should be recognized as a parent or whether children produced by using frozen sperm or eggs after a parent has died can claim inheritance rights or be entitled to life insurance proceeds or Social Security benefits.
- This Committee will determine if legislative action is necessary to ensure that property rights and other rights are defined and protected, including whether legislation should be proposed in areas including, but not limited to, advanced written directives prior to the creation of embryos; the creation and treatment of embryos unneeded for fertility treatment or reproductive purposes; the treatment of embryos in the event of divorce or death involving a couple that has donated eggs or sperm or had embryos in vitro fertilized; the treatment of unused embryos, including

storage, disposal, research, and adoption; the ethics of the use of unused embryos in scientific research; and property rights relating to biometric information, such as DNA, retinal scans, and information from implanted microchips.

Indigent Defense Joint Study Committee

This study committee was created to ensure that we have the indigent defense system that best serves the needs of Georgians. The committee was made up of Senators, Representatives, and members of the legal community. The study committee looked at the past, present and future of indigent defense in Georgia and across the country in order to come up with possible improvements. Although the creation of the statewide Georgia Public Defender Standards Council in 2004 was a step up from the previous county-by-county system, numerous obstacles remain. The main focus of the committee was to find the most cost-effective indigent defense delivery system by finding the problems inherent in the system now, then drafting legislation to remedy the problems during the 2008 Legislative Session.

Hate Crime Legislation Study Committee

In 2004, the Georgia Supreme Court struck down the state hate crimes statute because it was vague and overly broad. The purpose of this study committee was to hear from members of the community about whether there is a need to enact a new, more streamlined hate crimes statute. Such laws are generally justified on the grounds that hate crimes threaten and inflict harm on the entire community to which a victim belongs, and not merely the victim. In addition, there was a discussion about the different types of hate crimes statutes: penalty enhancements, prohibitions on property vs. physical violence, and data collection statutes. There was an emphasis placed on the constitutional rights of both victims and perpetrators. Over the course of several meetings, the committee heard testimony and hate crimes statistics from the Georgia Bureau of Investigation, the Georgia Association of Chiefs of Police, the Anti-Defamation League, the NAACP, Lambda Legal, and others. There are currently several federal hate crimes statutes in effect, and a broader bill is currently being considered in Congress.

NATURAL RESOURCES AND THE ENVIRONMENT

Statewide Water Management Plan

- On May 13, 2004, Governor Perdue signed House Bill 237, the Comprehensive State-Wide Water Management Planning Act (Act), authorizing the Georgia Environmental Protection Division (EPD) to prepare a Comprehensive State-Wide Water Management Plan (Plan). As required by the Act, EPD presented a draft of the Plan on June 28, 2007 to the Water Council, a coordinating committee created by the Act. The Water Council will review, modify if necessary, and approve the final draft of the Plan.
- The Water Council will then recommend the Plan to the Georgia General Assembly no later than the 1st day of the 2008 Legislative Session. The General Assembly will indicate its approval of the Plan by adopting a joint resolution. However, if the General Assembly fails to approve the Plan, the Water Council may propose alternate plans anytime before the 20th day of the session.
- If: (1) The General Assembly does not approve a plan timely submitted by the Water Council; or (2) A statutory plan provided by an Act of the General Assembly that expressly supersedes any and all plans submitted by the Water Council does not become law on or before July 1st, then the plan submitted last in time by the Water Council, but no later than the 20th day of the session, will have full force and effect on July 1st.
- The original draft of the Plan was written as a “rule.” However, many questions arose regarding the legality of promulgating the Plan as a “rule.” On August 21st, Attorney General Thurbert E. Baker issued an Advisory Opinion to Dr. Couch, Director of EPD, stating that the Act does not authorize the Water Council to promulgate the Plan as a “rule.” Therefore, EPD will revise the draft Plan to conform to this Advisory Opinion.

- The Plan, if adopted, will establish a set of policies to govern water management decisions and a set of management practices that will be implemented to keep the state's use of water sustainable and protect water quality. Water resource assessments will be conducted by EPD and used by water planning regions when developing required water and development conservation plans. Assessment of resource capacity will require compilation of a substantial information base, a comprehensive monitoring program, and a well-coordinated system for information management.

Tybee Island Study Committee

- This Senate Study Committee will study the issues and needs relating to beach erosion and beach re-nourishment on Tybee Island.
- A federal government study, which began in January 2007, is trying to measure the extent to which the Savannah River, which meets the Atlantic Ocean at Tybee Island's northern shore, disrupts the natural flow of sand being eroded and re-deposited by waters along the beach.
- Government agencies have pumped millions of cubic yards of sand onto Tybee Island since the 1970's, when they began re-nourishing the beach on Tybee Island east of Savannah. The next scheduled beach re-nourishment for Tybee Island is in 2008, and is expected to cost \$10 million. The federal government has previously covered 60 percent of the cost, with state and local governments responsible for paying the rest.
- In addition to the federal government's recently initiated study of the scope of the problem for Tybee Island, the Committee will examine possible options for conservation measures for Georgia's Atlantic coastal beaches, as well as ways to fund beach preservation and maintenance, including public and private partnerships.

PUBLIC SAFETY AND HOMELAND SECURITY

Emergency Medical Services Recruitment, Retention, and Training

The Senate EMS Recruitment, Retention, and Training Study Committee is currently exploring why EMS personnel are having trouble getting into the field, being able to stay in the industry, continue education initiatives during their career, and finally how these problems can be addressed with viable solutions. An essential focus of the study committee is to demonstrate how these current problems lead to a lack of accessible care by the public, and how correcting them will ensure the health and safety of everyone.

Seat Belts and Pickup Trucks

Current law requires each occupant of the front seat of a car or SUV to be restrained by a seat belt. In addition, minors six years of age or older are required to be restrained in any seat. By redefining the term "passenger vehicle," Senate Bill 86, now pending in the House, requires all passengers in the front seat of a pickup truck, and all minors, six years of age or older in any seat, to be restrained by a seatbelt. Georgia is the only state to exclude adult pickup truck occupants from the mandatory restraint requirement.

The federal government has established a Section 406 incentive grants program to encourage states to enhance and enforce safety belt laws covering all passenger motor vehicles, including pickup trucks. If Georgia enacts and enforces a conforming law before 2009, the State is eligible to receive a one-time grant of \$20,698,353, based on the availability of funds. The availability of funds depends on how soon Georgia removes the pickup truck exemption – the sooner the legislation is enacted, the more likely Georgia will receive the maximum grant amount. Receiving the funds is not only based upon passing legislation, but also the enforcement of the new law through citations.

Increased Traffic Fines – Funding Trauma Care System

Senate Bill 125, now pending in the House, increases fines for specific traffic violations. All penalties collected under this legislation will be deposited in the State's general fund with the intent that the money will be used to fund a trauma care system in Georgia and

the costs associated with the administration of this legislation. The Department of Driver's Services (DDS) is directed to administer and collect penalties for the following traffic offenses:

- Driving at 85 miles per hour or more on any road or highway or 75 miles per hour or more on any two-lane road or highway will be classified as a 'super speeder,' and a fee of \$200.00 will be imposed.
- Any driver whose driver's license or driving privileges are suspended pursuant to Code Section 40-5-57(c)(1)(B), relating to habitually negligent or dangerous driver, or suspended for points pursuant to Code Section 40-5-57.1, relating to the suspension of licenses of persons under 21 for certain offenses and suspension of licenses of persons under age 18 for certain point accumulations, will be subject to a fee of \$100.00.
- Any driver whose driver's license or driving privileges are suspended for a conviction for any of the following traffic violations will be subject to a fee of \$200.00:
 - Racing;
 - Leaving the scene of an accident; or
 - Fleeing from or attempting to elude a police officer.
- Any driver whose driver's license or driving privileges are suspended and the suspension is partially based on a conviction for any of the following traffic violations will be subject to a fee of \$300.00:
 - Driving a commercial vehicle with a blood alcohol concentration of 0.04 percent or greater;
 - DUI;
 - Feticide by vehicle;
 - Homicide by vehicle; or
 - Serious injury by vehicle.
- Any driver who has been declared a 'habitual violator' pursuant to Code Section 40-5-58 will be subject to a fee of \$300.00, in addition to any other imposed fines.
- Any driver who accumulates:
 - Seven to nine points under Code Section 40-5-57, relating to habitually negligent or dangerous drivers, will be subject to a \$100.00 fee;
 - Ten to twelve points will be subject to a \$125.00 fee; or
 - Thirteen to fourteen points will be subject to a \$200.00 fee.

This fee will be assessed upon reaching the enumerated point level range. No additional fee will be assessed until the next higher point level range is attained. If a driver's points are reduced, but the driver then reaches the enumerated point level range again, the fee will be reassessed.

No prosecuting officer or court may modify a traffic law charge in order to avoid the payment of penalties set out in this legislation.

REGULATED INDUSTRIES

The Senate Lien Law Study Committee was authorized to review the current standing of Georgia's lien laws, to examine their effectiveness, to discuss strengths and weaknesses, and to explore potential remedies to any possible deficiencies. An advisory committee was appointed to study the lien laws and these issues. The creation of the Georgia General and Residential Contractor Licensing Board has yet to become fully effectuated; if there are any weaknesses found with the lien laws, perhaps they can be dealt with by a fully operational Licensing Board that has the ability to hear and investigate complaints. Legislation may be recommended by this study committee to amend the filing deadlines, notice requirements, bonding requirements, and provide statutory forms for notice and claim of liens and waivers. The study committee sought to determine solutions which turn on fairness and equitable remedies for property owners and industry alike.

SCIENCE AND TECHNOLOGY

Use of Brain Fingerprinting Study Committee

Brain fingerprinting is a patented technology that helps law enforcement do its job a little better. Using brainwaves rather than physical cues such as sweat and heart rate, this system is more effective than a polygraph machine. Every criminal case turns up specific details that only the investigators and the guilty party would recognize; brain fingerprinting uses these details to identify the presence of guilty knowledge, and therefore identify the correct suspect. When the brain recognizes a word, picture, or other type of cue, the brain gives an automatic recognition response. This response is almost instantaneous, and there is no known way to alter one's brainwaves. Brain fingerprinting has only been admitted for use in court in one case in Iowa, where the judge allowed the test evidence to be admitted in the exoneration of a man who had been wrongly convicted of murder. However, the GBI expressed its concern about the lack of sufficient real-world evidence, and stated that the law enforcement agency's preference would be to avoid becoming a guinea pig for this unproven technology.

STATE AND LOCAL GOVERNMENTAL OPERATIONS

Voter ID

The Georgia Supreme Court and the U.S. District Court for the Northern District of Georgia reversed lower court rulings which held that the voter identification law imposed significant burden on the right to vote. The new Voter ID law went into effect for the September 18, 2007 election held in 22 counties. If voters do not have one of the six approved forms of identification, they may get a free voter identification card at their local county registrars' office or the Georgia Department of Driver Services.

The Joint House and Senate Fulton County Study Committee

The committee will recommend legislation regarding the structure and size of the Fulton County Commission, its terms, the courts and courthouse security, the Chief Judge and other judgeships, the detention center, the role of the Fulton County Sheriff, and will recommend further study of the many various existing boards and commissions within the county. Specifically, the study committee will recommend that there be three commission districts with two at-large seats for the Fulton County Commission, and that the terms for each commissioner be staggered to alternating election years.

STATE INSTITUTIONS AND PROPERTY

Study Committee on State Boards, Commissions, Authorities, Councils, and Committees

Senate Resolution 340 created the Senate Study Committee on State Boards, Commissions, Authorities, Councils, and Committees currently in existence under Georgia law. The committee has undertaken a review of these entities with an eye toward increasing efficiency, using taxpayer dollars effectively, and ensuring that they are performing their assigned tasks.

TRANSPORTATION

The Joint Study Committee on Transportation Funding has held six meetings, two in Atlanta, and one in each of the following cities: Columbus, Dalton, Savannah, and Valdosta. Upon conclusion of the six meetings, the committee has held two working sessions and anticipates one or two more working sessions as they finalize possible legislation for the upcoming session. Among the potential issues that might be presented to the General Assembly next session are: the establishment of a State Infrastructure Bank to help finance transportation projects; the creation of a Transportation Mobility Trust Fund to provide dedicated funding to transportation projects; enhancement of the Design Build process; the possibility of managed lanes during rush hour traffic on interstates; and further expansion of Public Private Initiatives.

URBAN AFFAIRS

Georgia Township Act

Senate Bill 89 was passed by the Senate during the 2007 Legislative Session and awaits action by the House of Representatives. The bill provides the framework for the creation of townships with the approval of voters within the proposed boundaries of a township. A township will not be considered a municipality nor exercise any traditional municipal powers, including eminent domain.

INDEX OF PENDING LEGISLATION FOR THE 2008 LEGISLATIVE SESSION

AGRICULTURE AND CONSUMER AFFAIRS

- SB 16 Animal Fighting Act; change certain provisions; House Second Readers
SB 207 Petroleum Products; Internet website for gasoline prices; Senate Read and Referred
SB 258 Controlled Substances; ban sale of marijuana/hemp flavored candy; provide for penalties; House Second Readers
SB 272 Agricultural/Forest Products; limited liability for owners/operators of farms offering agritourism under certain circumstances; House Withdrawn, Recommitted
SB 275 Agriculture Commissioner; provide a date certain for rules/regulations to establish criminal violations; Senate Conference Committee Appointed
HB 280 Controlled substances; sale of marijuana flavored products to minors; ban; Senate Read Second Time

APPROPRIATIONS

- SB 12 Budget Act; periodic application of zero-base budgeting; analysis of departmental/program objectives; House Second Readers
SB 22 Detentions; counties housing state inmates; increase the minimum reimbursement rate; Senate Read and Referred
SB 29 Budget/Financial Affairs; creation of website which the public can view the state budget; House Second Readers
SB 36 Ga. Peace Officers Standards and Training Council; certified investigators; salary increases; Senate Read and Referred
SB 300 Transparency in Government Act; Dept. of Audits/Accounts; creation/maintenance of certain state expenditure information; Senate Read and Referred
HB 119 Certain justices and judges; annual salaries; increase; Senate Read and Referred
HB 279 Katie Beckett waiver program; eligibility; certain children; require certain procedures; Senate Read Second Time
HB 319 District attorneys; increase annual salaries; Senate Read and Referred

ECONOMIC DEVELOPMENT

- SB 154 Municipal Corporations; agreements with solid waste collection firms; territory annexed/incorporated; House Second Readers
SB 267 Georgia Condominium Act; define certain terms; declarant shall pay certain expenses; provide exceptions; subcondominium; House Second Readers
SR 49 Justice, U.S. Dept. of; urged to oppose the proposed unsolicited takeover of Delta Air Lines; House Second Readers
HB 291 Georgia Council for the Arts; Georgia Arts Alliance; create; Senate Read Second Time

EDUCATION AND YOUTH

- SB 68 Career Academies Act; disbursement of funds by the State Board of Technical and Adult Education; charter schools; House Withdrawn, Recommitted
SB 85 Equal Access to Extracurricular Activities; home/private school students may participate in public schools; provide conditions; Senate Read and Referred
SB 122 Education; annual performance evaluations; require signature of evaluator and provide to certificated person; House Passed/Adopted
SB 206 American Sign Language; elective/foreign language credit for any student; Senate Read and Referred
SB 257 Dropout Deterrent Act; revise the age of mandatory education; Senate Read and Referred
SB 277 Juvenile Proceedings; prohibit universal mental health testing/psychiatric screening of juveniles; definitions; Senate Read and Referred
SB 297 Teachers; local units of admin. adopt disciplinary procedures; revise certain definitions; Senate Read and Referred
HB 208 School councils; parent members; majority; provide; Senate Conference Committee Report Adopted
HB 332 Quality Basic Education Act; certain maximum class size requirements; delay implementation; Senate Tabled

ETHICS

- SB 71 Special Elections; questions to the voters shall be held on certain dates; House Withdrawn, Recommitted
SB 179 Campaign Contributions; persons acting on behalf of a public utility; Public Service Commission; repeal the prohibition; Senate Read Second Time
SB 243 Ethics in Government Act; change provisions; House Second Readers
SB 264 Elections/Primaries; qualify for a party's nomination/run for public office; provide certain requirements; House Withdrawn, Recommitted
SR 279 Senate; provide four-year terms of office for members CA; House Second Readers
HB 487 Elections; primaries; voting; provisions; Senate Passed/Adopted

FINANCE

- SB 8 Property Tax Assessments; appeals; payment of interest; change certain provisions; House Second Readers
- SB 58 Taxation; payment of taxes where property lies in more than one county; repeal certain provisions; House Second Readers
- SB 92 Commissioner, Revenue; powers/duties; sales/use taxes; collection of certain data; House Second Readers
- SB 118 Educational Facilities Surveys; change certain provisions; Senate Read Second Time
- SB 132 Tax Returns; local law; establish a different time; House Second Readers
- SB 159 Homestead Exemptions; change date of filing applications; Senate Read Second Time
- SB 181 Motor Vehicles; provide imposition of fee by motor vehicle rental companies; definitions; procedures, conditions and limitations; Senate Read and Referred
- SB 218 Homestead; exemption; certain disabled persons; total value; House Second Readers
- SB 260 License Plates; revenue commissioner entitled to seize the license plates; vehicle's registration has been revoked/canceled; Senate Read and Referred
- SB 271 Taxes; change the period of time within which a tax deed shall ripen by prescription; House Second Readers
- SB 288 Property; automatic reversion of mineral rights to fee owner; taxes due not paid for 20 years; method of reversion; Senate Read and Referred
- SR 5 Taxpayers' Dividend Act; restrict amendments that increase appropriations made by General Appropriations Act (CA) PF; Senate Read Second Time
- SR 20 Taxation; provide limitations on state government tax and expenditures; definitions CA; House Second Readers
- SR 21 Taxation; limitations on grants of tax powers CA; Senate Read Second Time
- SR 282 Georgia One Tax; prohibit subsequent imposition of state ad valorem taxes/state income taxes; comprehensive consumption tax – CA; Senate Read and Referred
- SR 361 PeachCare for Kids; provide for imposition of a state/use tax at rate of 1 percent; health care coverage for all Georgia children-CA; Senate Read and Referred
- SR 400 Tax Credits for Community Service Contributions-CA; House Second Readers
- HB 354 Local government; homeowner tax relief grant notification; provisions; House Conference Committee Report Adopted
- HB 410 Municipal Option Sales Tax Act; enact; Senate Read Second Time

HEALTH AND HUMAN SERVICES

- HB 127 Prescription drugs; generic; change provisions; Senate Read Second Time
- HB 151 Hospital authorities; vacancies; General Assembly; change by local act; Senate Read Second Time
- SB 45 Chronic Kidney Disease Task Force; establishment; develop a plan for education; membership; duties/responsibilities; House Second Readers
- SB 51 Human Resources, Dept. of; owners of personal care homes; national criminal history background data; definitions; Senate Read and Referred
- SB 53 Health Planning; exemptions; acute cancer hospitals; Senate Read and Referred
- SB 57 Ray Bidy and Gene Mullis Act; renal disease facilities and personnel; House Withdrawn, Recommitted
- SB 66 Abortion; medical equipment for facilities; procedures; Senate Committee Favorably Reported
- SB 78 Community Health, Dept. of; powers, duties and functions; change certain provisions; Senate Read and Referred
- SB 93 Patient Disclosure for Eye Surgery Act; delegation of postoperative eye care for patient who has undergone eye surgery; Senate Read and Referred
- SB 150 Pharmacists/Pharmacies; submit certain performance and cost data to Dept. of Community Health; Senate Read and Referred
- SB 155 Immunization; HPV; human papillomavirus; female students entering the sixth grade; Senate Read Second Time
- SB 164 Certificate of Need Reformation Act; extensive revision of the certificate of need program; Senate Read and Referred
- SB 178 Pharmacy, State Board of; mails/common carriers; prescription drug; shall not be grounds for sanctioning license of pharmacist; House Withdrawn, Recommitted
- SB 189 Certificate of Need; revise definition of "new institutional health service"; Senate Read and Referred
- SB 215 Advanced Practice Registered Nurse; revise; provide statutory construction of definition; certified registered nurse anesthetists; Senate Read and Referred
- SB 229 Hospitals; discount payment/charity care for financially qualified patients; maintain written policies; provide eligibility criteria; Senate Read and Referred
- SB 253 Advanced Practice Registered Nurses; on-site patient evaluation; provide examination; Senate Read and Referred
- SB 285 Revised Peachcare for Kids Act; change the short title; Senate Read and Referred
- SB 289 Newborn Screening Program; assessment; approved laboratories to perform screening testing; revise certain provisions; Senate Read and Referred
- SB 295 Controlled Substances; active chemical ingredient in hallucinogenic plant *Salvia divinorum* A; unlawful to knowingly produce and manufacture; House Second Readers
- SB 296 State Health Planning/Development; revise certain definitions; change exemptions; Senate Read and Referred
- SB 313 Physicians; Composite State Board of Medical Examiners; enter into a contract with a nonprofit corporation; impaired physician program; Senate Read and Referred

SB 331 Commission for the Blind and the Visually Impaired Act; create; Senate Read and Referred
 SR 22 Hospital Health Care Standards Commission; create; House Second Readers
 SR 345 Public Funding; faith based organizations; prevent discrimination-CA; Senate Read Second Time
 SR 355 Health Care Transformation; create joint study committee; House Second Readers
 SR 375 Public Funding; separate charitable affiliates of religious/sectarian organizations; provide for conditions/requirements-CA; Senate Read and Referred
 SR 388 U.S. Congress; urged to enact Prevention First Act; Senate Read and Referred

HIGHER EDUCATION

HB 152 HOPE scholarships; home study course; provisions; Senate Read and Referred
 HB 243 HOPE scholarships; eligible postsecondary institution; revise definition; Senate Passed/Adopted
 HB 311 Georgia HERO Scholarship; qualifying term of service; change definition; Senate Passed/Adopted
 SB 35 Georgia, University System of; students; home study program; authorize board of regents to promulgate rules/reg. regarding such admissions; Senate Read and Referred
 SB 74 Returning Hero Education Act; admission standards for certain combat veterans; Senate Read and Referred
 SB 75 Scholarships; postsecondary; minimum state-wide standards for honor courses; establishment; House Second Readers
 SB 111 University System; revenue collected from tuition shall not lapse; House Second Readers
 SB 169 Ga. Student Finance Authority; direct loans to students; postsecondary schools; 1% rate annually; House Second Readers
 SB 196 Military Scholarships; provide for children of persons killed/disabled as a result of combat wound; define terms; Senate Read and Referred
 SB 279 Georgia's Promise; certain students; admission to member institutions of University Sys.; top 10% of graduating class; automatically admitted; Senate Read and Referred
 SR 125 Lottery Funds; reserved only for the HOPE Scholarship Program CA; House Withdrawn, Recommitted

INSURANCE AND LABOR

SB 13 Labor; minimum wage law; substantive/comprehensive reform of provisions; Senate Read and Referred
 SB 28 Insuring Georgia's Families Act; health insurance provision; comprehensive revision; Senate Read and Referred
 SB 73 Health Care Plans; continued access to care; enrollees; definitions; House Second Readers
 SB 109 Insurance; definitions; include plan administrators in prompt pay requirements; House Withdrawn, Recommitted
 SB 113 Insurance; appointment of agents by authorized insurer before licensing; background checks; House Withdrawn, Recommitted
 SB 144 Group Insurance Benefits; pursuant to Title 20 and Title 45; U.S. Internal Revenue Code; House Second Readers
 SB 151 Georgia Health Security Underwriting Authority; create; alternative mechanism coverage for the availability of individual health insurance; Senate Read Second Time
 SB 153 Georgia Consumer Driven Health Insurance Plan; provide for development of plans by the Commissioner of Insurance; House Second Readers
 SB 166 Driver Services, Dept. of; add approved virtual courses; under the age of 25 years; Senate Read and Referred
 SB 167 State Health Benefit Advisory Committee; create; Senate Read and Referred
 SB 183 Insurance; authorize agents to charge/collect certain fees; provide for keeping records of such fees; separate receipts; House Withdrawn, Recommitted
 SB 192 Motor Vehicle Accident Reparations; valid certificate of self-insurance in another state qualify as self-insurer in this state; House Second Readers
 SB 213 Insurance Commissioner; waive retaliatory obligations, prohibitions or restrictions under certain circumstances; provide exceptions; House Withdrawn, Recommitted
 SB 230 State Personnel Board/Merit System; define classified/unclassified service; Senate Read Second Time
 SB 239 Farm Laborers; provide a definition; House Withdrawn, Recommitted
 SB 241 Health Insurance; comprehensively revise the laws of Georgia; Senate Read and Referred
 SB 254 Georgia State Indemnification Commission; composition; define certain terms; House Second Readers
 SB 265 Personnel/Merit System; define classified/unclassified service; employees; change certain provisions; Senate Read and Referred
 SB 268 Labor, Dept. of; program of mandatory drug testing of applicants for unemployment benefits; review; define certain terms; Senate Read and Referred
 SB 276 Insurance; uninsured motor vehicle; available coverages are inadequate to cover person's bodily injury/property damage losses; House Withdrawn, Recommitted
 SB 294 Prescription Drugs; substitution of generic drugs for brand name drugs; change criteria; Senate Read and Referred
 SB 304 Human Resources, Dept; submission of data relating to individual's employer; state funded/administered health care program; Senate Read and Referred

- SR 140 U.S. Congress; urged to enact legislation that would amend the Medicare program; Senate Read and Referred
- SR 387 Congress; urged to adopt the United States National Health Insurance Act; Senate Read and Referred

JUDICIARY

- SB 1 Sexual Offenders; unlawful to photograph minors; provide penalties; House Withdrawn, Recommitted
- SB 20 Sexual Offenses; carnal knowledge with disabled person incapable of granting consent; unlawful; provide penalties; Senate Read and Referred
- SB 21 Crimes; person convicted of murder against peace officer, corrections employee, or firefighter; official duties; change punishment; Senate Read and Referred
- SB 37 Criminal Procedures; allow a change of sentence under certain circumstances; Senate Read Second Time
- SB 43 Firearms; prohibit certain employers from prohibiting employees from lawfully carrying in locked motor vehicles; Senate Read Second Time
- SB 50 Notaries Public; shall be legal resident of United States; provide penalty; House Second Readers
- SB 54 Offenses; incest; provide for gender neutrality; House Withdrawn, Recommitted
- SB 63 Property; provide for definition of single-family residential real estate; exemption to certain liens; Senate Read and Referred
- SB 64 Liens; wrong real estate; provide for a special designation; Senate Read and Referred
- SB 65 Property; single family residential real estate; contract to perform work; provide requirements; Senate Read and Referred
- SB 67 Superior Courts; specify costs not be considered contingent expenses; House Second Readers
- SB 88 Care of a Grandchild Act; provide subsidy to certain grandparents raising grandchildren under certain circumstances; House Withdrawn, Recommitted
- SB 97 Criminal Trial Proceedings; require parties to raise specific objections to jury charges prior to jury retiring to deliberate; House Second Readers
- SB 117 Bail; sexual offenses; certain additional conditions; Senate Read and Referred
- SB 119 Criminal Procedure; victim/members of immediate family with rights; provide for certain procedures; Senate Read Second Time
- SB 133 Levy; intestate insolvent estates; homestead exemptions; maximum amounts; change certain provisions; Senate Read Second Time
- SB 134 Hospital; acquisitions; notice to the Attorney General; change certain provisions; House Withdrawn, Recommitted
- SB 140 Circuit Public Defender; change composition of selection panels; removal; terms; Senate Read Second Time
- SB 141 Georgia Public Defender Standards Council; change composition; Senate Read Second Time
- SB 142 Circuit Public Defenders; may hire additional personnel; authorized by local law; Senate Read Second Time
- SB 143 Judicial Circuits; alternative delivery systems; provide for funding; Senate Read and Referred
- SB 145 Crime and Sentencing; persons convicted of murder; imposition of life without parole; House Withdrawn, Recommitted
- SB 201 Georgia Family Law Arbitration Act; Senate Read and Referred
- SB 211 Criminal Procedure; sentencing of defendants guilty of crimes involving bias/prejudice circumstances and parole; repeal certain provisions; Senate Read Second Time
- SB 216 Grand Juries; certain individuals not qualified to serve as grand jurors; Senate Read Second Time
- SB 223 Judges; compensation/grants for judicial salaries; change certain provisions; House Withdrawn, Recommitted
- SB 232 Court Reports; remove requirement of publishing a volume of rules from the definition of reports; House Withdrawn, Recommitted
- SB 255 Death Penalty; provide moratorium on the administration of a death sentence; Senate Read and Referred
- SB 259 Warrants; issuance of search warrants by judicial officers; change provisions; Senate Read Second Time
- SB 266 Judicial Accounting; add a penalty, late fees, and interest for failure to remit certain funds/reports to authority; House Second Readers
- SB 278 Proceedings; juvenile deprivation hearings shall not be closed; except upon written application of parents; Senate Read and Referred
- SB 286 Health Care Liability Claim; limitation in emergency medical care; change certain provisions; Senate Read and Referred
- SB 293 Deprived Juveniles; consideration of in-state/out-of-state placements for children; permanency plan hearings; procedural safeguards; Senate Read Second Time
- SB 305 Emergency Management; licensing of nongovernmental rescue organizations; revise a provision; Senate Read and Referred
- SB 318 Courts; requesting judicial assistance from other courts; change certain provisions; Senate Read and Referred
- SR 364 Georgia Capital Punishment Study Committee; create; Senate Read and Referred
- SR 370 Court of Appeals/Supreme Court; election; term of office-CA; Senate Read and Referred
- SR 636 Senate Comprehensive Lien Law Study Committee; create; Senate Read and Referred
- HB 39 Public records; confidential information not disclosed; provide; Senate Read Second Time

- HB 156 Human Resources, Department of; child support collections fees; authorize; Senate Tabled
- HB 185 Death penalty; jury findings; aggravating circumstance; change provisions; Senate Read and Referred
- HB 226 Obscenity crimes; distribution of obscene materials; insert new provisions; Senate Read Second Time

NATURAL RESOURCES AND THE ENVIRONMENT

- SB 3 Hunting; provide for veterans' lifetime sportsman's license; fees; Senate Read Second Time
- SB 27 Vessels; abandoned; provide for revocation of certificates of number which have not been redeemed; House Withdrawn, Recommitted
- SB 69 River Basin Protection Act; regulate interbasin transfer of water; in-stream flow policy; Senate Read and Referred
- SB 185 Watercraft; applicant for certificate of number for vessels purchased outside Georgia; sales/use tax has been paid; House Withdrawn, Recommitted
- SB 187 Environmental Advisory Council; applications for certain variances; change certain provisions; House Second Readers
- SB 197 Waste Management; municipal solid waste disposal facility sites near adjoining counties; repeal certain provisions; Senate Read and Referred
- SB 198 Waste Management; protection for certain governmentally owned public drinking water supply intakes; Senate Read and Referred
- SB 221 Solid Waste Management; land disposal sites; permits from Dept. of Natural Resources; change certain provisions; Senate Read Second Time
- SB 273 Deer Hunting; lawful/unlawful killing of dogs pursuing/killing a deer; revise provisions; Senate Read and Referred
- SB 292 Commercial Shrimping; opening of certain waters under certain conditions; Senate Read and Referred
- SR 133 Augusta, Georgia, Environmental Issues; create joint study committee; House Second Readers
- SR 283 Joint Nonpoint Source Pollution Control Study Committee; create; House Second Readers
- SR 327 Joint Atlantic Coastal Beach Preservation and Maintenance Study Committee; create; House Second Readers
- SR 439 Soil and Water Conservation Districts; selection of supervisors; express objection of Senate to any changes from current status; Senate Read and Referred
- HB 239 Board of Natural Resources; rules; game and fish criminal violations; change certain provisions; Senate Read Second Time

PUBLIC SAFETY AND HOMELAND SECURITY

- SB 4 Motor Vehicles; license/registration; false statement in application; penalties; Senate Read and Referred
- SB 25 License Plates; driver's license; issuance; payment/disposition of fees; proof of citizenship; Senate Read Second Time
- SB 33 Emergency Management; state-wide first responder building mapping information system; definitions; rule/regulations; House Second Read
- SB 44 Georgia Fire Officer Development Act; fire officer development training; definitions; House Withdrawn, Recommitted
- SB 48 Penal Institutions; transmittal information on convicted persons; provide notice to the attorney of record for the convicted persons; House Withdrawn, Recommitted
- SB 86 Safety Belts; passenger vehicles; eliminate certain exceptions to the required use; House Second Readers
- SB 91 Traffic Offenses; fleeing/attempting to elude a pursuing police vehicle; punishment; change provisions; House Withdrawn, Recommitted
- SB 125 Motor Vehicles; speed restrictions; instruments charging violations of speed regulations; specify two-lane or highway; House Second Readers
- SB 202 Mattie's Call Act; revise/redesignate Article 7; House Withdrawn, Recommitted
- SB 219 Offenses; seizure of motor vehicles by person to facilitate sexual offenses; House Second Readers
- SB 249 Sexual Offender Registration Review Board; register with sheriff of any county where offender resides; House Withdrawn, Recommitted
- SB 252 Firearms Dealers; transfer authority for regulation to state revenue commissioner; Senate Read and Referred
- SB 274 Georgia Crime Information Center; publication of statistics; revise provisions; Senate Read Second Time
- SB 299 Model Rockets; provide exemption when defining explosive for certain purposes; Senate Read and Referred
- SB 307 Uniform Rules; leaving a motor vehicle unattended; repeal Code Section 40-6-201; Senate Read Second Time
- SB 315 Driver's Licenses; abolish Ga. Driver's Education Commission; transfer purposes/duties to State Board of Education; Senate Read and Referred
- HB 51 Sheriffs' duties; security plans; change frequency; Senate Read Second Time
- HB 77 Motor vehicles; traffic-control signal monitoring devices; repeal provisions; Senate Read and Referred
- HB 254 Limited driving permits; certain offenders; allow issuance; Senate Read Second Time

HB 368 Public Safety, Department of; sell and purchase of motor vehicles; allow commissioner; Senate Recommitted

REAPPORTIONMENT AND REDISTRICTING

SR 344 Citizens' Redistricting Commission; create; apportionment of General Assembly; Senate Read and Referred

REGULATED INDUSTRIES AND UTILITIES

SB 26 Alcoholic Beverages; local authorization/regulation of sales on Sunday; provide procedures; Senate Read and Referred

SB 55 Alcoholic Beverages; resealed partially consumed bottle of wine; uniform rules of the road; House Second Readers

SB 56 Alcoholic Beverages; wine direct shipper licenses; provide for issuance; Senate Read and Referred

SB 105 Electrical Services; require charges to communications/cable companies; assessing poles, ducts shall be uniform; procedures/remedies; Senate Read and Referred

SB 137 Alcoholic Beverages; regulation of sales on Sunday; county/municipality; Senate Read Second Time

SB 138 Alcoholic Beverages; regulation of sales on Sunday; county/municipality; Senate Read and Referred

SB 171 Residential/General Contractors; repeal Chapter 41 of such title; Senate Read and Referred

SB 173 Pipeline Companies; exempt certain acquisitions of add. pipeline right of way from restrictions and conditions; House Second Readers

SB 180 Guaranteed Energy Cost Savings Act; to authorize governmental units to enter into guaranteed energy cost savings contracts; Senate Read and Referred

SB 228 Personal Fitness Trainers; provide for licensure; establish Georgia Board of Fitness Trainers; Senate Read and Referred

SB 245 Alcoholic Beverages; to permit the sale for consumption on the premises on Sundays; authorize governing authority of county/municipality; Senate Read and Referred

SB 334 State Licensing Board of Home Inspectors; create; Senate Read and Referred

SR 71 Alcohol Regulation Senate Study Committee; create; Senate Read and Referred

SR 598 Joint Nuclear Plant Vogtle Environmental Justice Issues Study Committee; create; Senate Read and Referred

RETIREMENT

SB 47 School Districts; agree to assist employees in qualified investment plan define certain terms; provide for certain offenses/penalties; Senate Read and Referred

SB 80 Public Retirement Systems; define terms; alternative investments; provide code of ethics; House Second Readers

SB 112 Appellate Court Judges; optional benefits; notice of election; eligibility; Senate Read and Referred

SB 127 Retirement System; Dept. of Public Safety; may elect to pay additional employee contribution; certain members; Senate Read and Referred

SB 161 Retirement; disability benefits; physical exam done at convenient place of beneficiary; delete provisions; House Withdrawn, Recommitted

SB 163 Retirement; county revenue employees; no person who becomes tax commissioner or any such officer shall be eligible for membership; Senate Read and Referred

SB 174 Public Officers/Employees; development of medical/physical fitness standards; appointment of medical; House Withdrawn, Recommitted

SB 195 Teachers Retirement; change the benefit formula; provide postretirement benefit adjustment; Senate Read and Referred

SB 199 Retirement; no public retirement system shall invest funds in corporations doing business with Islamic Republic of Iran or certain other states; Senate Read and Referred

SB 240 Employees'/Teachers' Retirement; membership/participation in any public retirement system may be transferred or terminated; procedures; Senate Read and Referred

SB 326 Retirement; appellate court judges; provide for benefits; Senate Read and Referred

SB 327 Georgia State Employee Savings Plan; deferred compensation plan; employer contribution; provide rules/regulations; Senate Read and Referred

SB 328 Georgia State Employee Savings Plan; deferred compensation plan; employer contribution; provide rules/regulations; Senate Read and Referred

SB 329 Retirement; authorize the reduction of portion of member's compensation; benefit for future state employees; Senate Read and Referred

SB 330 Georgia Judicial Retirement System; superior court judges/district attorneys; retirement benefits; change provision; Senate Read and Referred

SB 333 Employee's Retirement Sys; certain members; 34 years of services; provisions; Senate Read and Referred

SR 228 Peace Officers; appropriate funds necessary to provide for retirement credit for retired members; prior to January 1, 1976 CA; Senate Read and Referred

RULES

- SB 76 Assignments, Committee on; powers, duties; change provisions; transfer of power; Senate Read Second Time
- SB 208 General Assembly; Internet website; provide for content/capabilities; Senate Read and Referred
- SB 283 Confederate Heritage and History Month; create; Senate Read Second Time
- SR 261 Waffle House; recognize; Senate Read and Referred
- HB 89 Firearms; carrying and possession; change provisions; Senate Committee Favorably Reported
- HB 340 PeachCare; threshold income amount for eligibility; revise; Senate Insists

SPECIAL JUDICIARY

- SB 11 Superior/State Court Judges; performing ordered military duty; eligible for reelection; qualify by mail, messenger or agent on duty; House Second Readers
- SB 18 Court-Connected Alternative Dispute Resolution; add municipal courts; charge additional filing fees for civil actions; House Second Readers
- SB 30 Armed Forces of U.S.; members; prohibit certain uses of names/pictures; provide penalties; House Second Readers
- SB 41 Civil Practice; provide for service upon persons residing in gated/secured communities; state-wide registration of permanent process servers; Senate Read Second Time
- SB 217 Property Owners' Associations; shall have standing as a party to bring legal action to enforce covenants; Senate Read and Referred
- SB 238 Evidence; tampering; remove requirement that such offense involve another person; House Withdrawn, Recommitted
- SB 270 Juvenile Justice; Dept. of; provide for Office of Runaway Children Assistance; duties/structure; Senate Read and Referred
- SR 445 Joint Commercial Sexual Exploitation of Minors Study Commission; create; House Second Readers

SCIENCE AND TECHNOLOGY

- SB 24 Computer Security; persons provide identifying information by falsely representing themselves to be a business; definitions; penalties; House Withdrawn, Recommitted
- SB 59 Social Networking Website; illegal for owner to allow minor to create/maintain profile; provide for penalties; Senate Read and Referred
- SB 136 Telephone Service; prepaid cell phones; define terms; require identification of the purchaser in retail sales; Senate Read and Referred

STATE AND LOCAL GOVERNMENTAL OPERATIONS (General Bills Only)

- SB 83 Municipalities; change certain local government provisions; House Withdrawn, Recommitted
- SB 110 Municipal; deannexation; repeal certain provisions; Senate Read Second Time
- SB 214 State Government; qualifications; call centers; provide definitions; Senate Read and Referred
- SB 281 Local Government; subrecipients/units; liability; clarify certain provisions; Senate Read and Referred
- SB 291 Ad Valorem Taxation; provide annual hearings on property taxes by county/municipal governing authorities/independent school systems; Senate Read and Referred
- SR 4 Electoral Process; right to register and vote; procedures (CA); Senate Read and Referred
- SR 248 Ad Valorem Taxes; prohibit county from levying within a municipality as special services districts-CA; Senate Read and Referred
- SR 515 Ad Valorem Taxation; exemptions which may be authorized locally-CA; Senate Read and Referred

STATE INSTITUTIONS AND PROPERTY

- SB 108 Law Enforcement Officers; passenger motor vehicle; Georgia State Prison warden; furnished by Dept. of Public Safety; Senate Read and Referred
- SB 120 State Properties; requirement that acquisitions of real property must be conducted through commission; remove certain exceptions; House Withdrawn, Recommitted
- SB 121 State Properties Commission; administrative space; modify certain exceptions; Senate Read and Referred
- SB 129 Penal Institutions; provide limited copayments by inmates for prescription medications; Senate Read and Referred
- SB 130 Georgia Building Authority; general provisions; operational powers; House Second Readers
- SB 175 State Government; clarify meaning of criminal action; replace Dept. of Administrative Services with Office of Treasury/Fiscal Services; House Withdrawn, Recommitted
- SB 191 Buildings; prohibit the naming of any public building for Sen. Robert Brown; House Second Readers
- SB 250 Public Property; roofing of state owned buildings/facilities; provide standards; Senate Read and Referred
- SB 287 State Licensed Facilities/Public Buildings; require child safety outlets, covers, or plugs; provide a date of compliance; Senate Read and Referred

- SR 25 State Properties Commission; authorizing and empowering; convey certain state owned real property located in Augusta, GA; Senate Read and Referred
- SR 26 State Properties Commission; authorizing and empowering; convey certain state owned real property located in Augusta, GA; Senate Read and Referred
- SR 377 Jekyll Island Authority; redevelopment of resort/facilities; to exercise great caution/restraint; Senate Read and Referred

TRANSPORTATION

- SB 233 Roads; collections, expenditures and exemptions with respect to revenue; change certain provisions; Senate Read and Referred
- SB 256 Outdoor Advertising Signs; height limitations; conditions for lowering of existing signs; Senate Read Second Time;
- SB 284 Vehicle Weight/Load; allow operator to comply with weight requirements by shifting/equalizing on all wheels; House Second Readers
- SB 290 Georgia Aviation Authority Act; create; House Withdrawn, Recommitted
- SR 63 L. M. Moye, Jr. Memorial Bridge; Stewart County; dedicate; House Second Readers
- SR 104 Eddie Wiggins Bridge; Houston County; dedicate; House Second Readers
- SR 136 Emmett Henry Austin Memorial Bridge; dedicate; House Second Readers
- SR 154 Joint Human Services Transportation Study Commission; create; House Withdrawn, Recommitted
- SR 229 Paul Keenan Parkway; Dougherty County; dedicate; House Second Readers
- SR 263 Commuter Rail; Athens to Atlanta; urging U.S. Congress to provide funding; House Withdrawn, Recommitted
- SR 297 PFC Elwood W. Odom Memorial Bridge; dedicating; Senate Read and Referred
- SR 298 MIA/KIA Bryant H. Roberts, SFC Memorial Bridge; dedicating; Senate Read and Referred
- SR 299 POW Fred L. Belcher Memorial Bridge; dedicating; Senate Read and Referred
- SR 301 Phil Walden Memorial Interchange; dedicating; House Second Readers
- SR 341 Motor Fuel Taxes; funds appropriated; adequate system of public roads/bridges; transportation purposes-CA; Senate Read and Referred
- SR 404 John Paul Ellis Highway; dedicate; Senate Read and Referred
- SR 428 Senate Railroad Safety and Security Study Committee; create; Senate Read Second Time
- SR 453 Veterans Memorial Highway; Carroll County; dedicate; Senate Read and Referred
- SR 454 C.C. Perkins Memorial Highway; Carroll County; dedicate; Senate Read and Referred
- SR 486 Clint H. Bryant Memorial Bridge; designate; Senate Read and Referred
- HR 14 Walter E. "Eddie" Elder Interchange; Barrow County; dedicate; Senate Read and Referred
- HR 146 Bohler, Dr. Charles Emory; designate portions of SR 26; Senate Read and Referred
- HR 147 Erk Russell Highway; designate portions of SR 26; Senate Read and Referred
- HR 195 Hospitality Highway; dedicate GA 400; Senate Read and Referred
- HR 321 Edward Sidney "Dick" Chambers Memorial Highway; dedicate; Senate Read and Referred
- HR 423 Billy Lancaster Memorial Highway; dedicate; Senate Read and Referred
- HR 531 Ralph Lively Memorial Highway; dedicate; Senate Read and Referred

URBAN AFFAIRS

- SB 89 Georgia Townships Act; creation; House Second Readers
- SB 332 MARTA; allow a transportation services contract to authorize the extension of/addition to the Authority's existing rail system; Senate Read and Referred
- SR 130 Townships; power of zoning/regulation of land use development; funding CA; House Second Readers

VETERANS AND MILITARY AFFAIRS

- SR 319 North Georgia College/State University; urge Board of Regents to maintain current military program; House Withdrawn, Recommitted