

29 February 2008

LWVAF, Report from the Capitol, Week 6, Days 23 through 26.

It's getting close to Day 30, Crossover Day, when bills must have passed their chamber of origin to have a chance of passage this session. As this is the second year of a two-year term, bills not crossing over and not passing attached to another bill will die and must be reintroduced for the 2009 legislature.

The anxiety of sponsors of legislation to have their bills heard has prompted many committee meetings and longer days. This report reflects all that flurry.

The mid year budget for FY08 is still in conference committee with difficulty in agreeing on the education part of the budget. Going into an election, the House members are anxious to eliminate the \$141.5 million austerity cut, make whole the equalization grants which the governor shorted by \$30 million, support the \$40 million in one-time technology funding which has not been available from the state to the local schools since FY02, and to permits state purchase of buses for school transportation fleets. The Senate feels that there isn't enough money to do all of this, and it took the \$40 million for technology and the \$30 million for buses to partially offset the austerity cut in FY09, and left the equalization grants partially funded.

In the meantime, the FY09 budget has only been looked at by the various committees, as the House ceased work when the FY08 budget got bogged down. Under the rules, the FY09 budget bill must also crossover by Day 30, but rules can be set aside. The budget is, after all, the ONLY required bill that has to be passed by any legislature.

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The legislature is in recess on Monday returning Tuesday for Day 27. It must adopt another resolution as to its future schedule. The Senate wishes to meet Tues., Wed., and Thurs. of next week; the House wishes to meet only Tues. and Wed. In any case, Day 30 will fall in the week after.

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### **In CHAMBERS**

HB 188, Rynders – 152 PASSED House in S.Judiciary  
Jury duty may be excused for persons who are the primary unpaid caregiver for a person over the age of six, unable to care for himself or herself, cannot be left unattended, and there is no reasonably available alternative to provide for care. Potential juror must ask to be excused.

SB 332, Thompson - 5 PASSED Senate in H.Transportation  
MARTA, allow a transportation service contract with other counties.

SB 352, Cowser – 46 PASSED Senate PASSED House DV  
Environmental Protection Division brought under the Administrative Procedures Act. If federal law applies to the Environmental Protection Division of Department of Natural

Resources, and the division has empowered rules, the legislature cannot override. Think water.

HR 413, Bearden – 68 FAILED in House Reconsidered in H.Rules  
CA to declare English as the official language of GA, but does not limit the languages that can be used. Is already a statutory requirement. Doesn't apply to private businesses.  
***Reconsideration means the House has agreed to vote again if and when the House Rules Committee puts it on the floor calendar again for debate.***

SB 440, Douglas – 17 PASSED Senate in H.Judiciary Non Civil  
Non profit organizations as determined by the IRS may use 'pull tab games' which offer a chance for a cash payout as a fund raiser. Will not be considered gambling. **LWV** would be eligible for this fund raising technique.

HB 1065, Royal – 171 PASSED House in S.Finance  
Local school boards are authorized to include charter schools and state chartered special schools in a local school system's SPLOST referendum capital outlay projects lists.  
***Local boards of education which agree to fund state schools have more money than sense.***

HB 1086, Ralston - 7 PASSED House in S.Special Judiciary  
The maximum of \$70 per diem compensation for superior court bailiffs is repealed. The requirement for bailiff pay in other courts in the county will be the same as superior court bailiff pay. Does not create a pay raise which the county commission or city council must approve.

HB 1113, Heard – 104 PASSED House S.Governmental Oversight  
Establishes authority and procedures for state employees to use a state credit card. Departments and agencies which issue more than 100 purchasing cards to employees shall establish goals to reduce the number of cards by 10% by December 2009. Designates Department of Revenue to get any rebates from the card issuers, about \$5 million last year.

HB 1126, Horne – 71 PASSED House in S.Economic Development  
Downtown development authorities are governed by a board, one member of which may reside outside the county but must own a business within the downtown development area. The board position shall be declared vacant if the board member ceases to own that business.

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#### **In COMMITTEE**

SR 345, Heath – 31 **OPPOSE DO PASS** in S.Health & Human Services  
CA to allow public money to go to sectarian institutions and organizations for social services. A governor's proposal, known as the Faith Based Amendment. ***LWV believes this is the attempt to allow general use vouchers. There is no objection to sectarian organizations with a non-profit IRS exemption from contracting with the state to***

***deliver social services. Non-profit status prevents discrimination on any allowable basis and the teaching of religion. LWV opposes school vouchers.***

SB 391, Station – 18 DO PASS in S.Science & Technology

The Secretary of State is authorized to create a web site for use as a public notice web site. When state agencies are required to notify the public of upcoming meetings or hearings, unless specifically required to be published in a newspaper, the requirement can be met by posting on this common web site. Local governing entities may also use the site.

SB 394, Unterman – 45 DO NOT PASS in S.Public Safety

Traffic fines generated by traffic-control signal monitoring devices shall be shared half with the local government and half forwarded to the state to be used to fund trauma care in Georgia. Currently, all proceeds are kept by the local government.

HB 541, Smith – 168 DO PASS in H.State Planning & Community Affairs

School districts, county and city governments, and every state agency will have to use biodiesel fuel as of 2008 in vehicles compatible with those fuels if fuel is reasonably available at a cost equal to or less than that of conventional fuel. Purchasing preferences will be for fuels made from Georgia feed stock or other Georgia products. Also as of 2008, any motor vehicle purchased or leased must be capable of being powered by clean renewable fuel if the vehicle is reasonably available at a cost equal to or less than similar vehicles conventionally fueled. This bill came within a hair of passing in 2006.

HB 948, Smith – 70 DO PASS in H.Ways & Means

Authorizes the 2008 sales tax holidays. July 31 through August 3 will be the school clothing and supplies holiday, and October 2 through October 5 will be the energy efficient appliances holiday.

HB 993, Hembree – 67 DO PASS in H.Government Affairs

Electors 75 and over and the disabled will be able to vote at the registrar's office, absentee ballot clerks office and other locations immediately upon a voting machine or voting booth becoming available. This option is currently available to these groups on election day, but had not been empowered in law for early voting or absentee voting in person or when registering to vote.

SR 996, Weber – 40 DO PASS in S.Finance

CA to authorize counties, cities, and local school systems to use tax funds for redevelopment purposes, including the payment of debt service on tax allocation bonds. ***The Georgia Supreme Court in a case challenging Atlanta Schools giving up property tax revenues for the Beltway project has ruled that schools cannot participate in tax allocation districts, TADs, which freeze the values of property therein for a fixed number of years while the taxes on the appreciated values go to the tax allocation district for redevelopment use. The court indicated that this is using school district money for non school purposes. This amendment allows participation in TADs by local school districts.***

HR 1036, Stephens – 164 DO PASS in H.Government Affairs  
CA to create the Trauma Care Trust Fund to be used exclusively for trauma care programs, the support of designated trauma centers, physicians caring for trauma patients, emergency medical services transportation of trauma patients, air ambulance support for trauma patients, rehabilitation services, data collection and injury prevention education and research. The General Assembly shall designate one or more sources of revenue for the fund which may include any hospital, hospital authority, county, or city source, or any person or other entity. These funds shall not lapse.

HB 1052, Willard – 49 DO PASS in H.Judiciary Non Civil  
A demand for a speedy trial shall be granted during the next court term or within six months from the date of demand, whichever is longer. County court terms vary in length. Speedy trial requests for any defendant within the state would have up to six months before starting throughout the state. ***This is a general bill, but comes from the Fulton County Governance Study Committee recommendations whose court terms are only two months. Demands for a speedy trial have court administrators scrambling to fit the defendant into court calendars already packed with other cases.***

HB 1098, Reese – 98 DO PASS in H.Government Affairs  
Notice of and results of municipal elections must be sent to the Secretary of State. Local elections activity is not now required to be reported to the state elections office.

HB 1112, Geisinger – 48 DO PASS in H.Government Affairs  
Requires county and municipal election superintendents appointed before 1-1-08 to become certified by 12-31-08.

HR 1226, Smith – 129 DO PASS in H.Transportation  
CA to provide a sales tax of 1% for seven years to fund transportation projects in a state defined regional area. Funds shall be returned 90% to the region from which they were collected, and 10% to the state for state projects approved by the legislature. Funds can be redirected in case of invasion of the state or a major catastrophe proclaimed by the governor. ***This is one more percent tax on top of whatever is currently being charged in the county or city.***

HB 1281, England – 108 DO PASS in H.Natural Resources and Environment  
Prohibits local governments from imposing more stringent restrictions on outdoor water use during periods of drought than restrictions imposed by the state unless approved by Environmental Protection Division. Also, if EPD permits, within 3 days after application, any local government may be exempted from state outdoor watering restrictions. EPD may not restrict use of surface water for swimming pools due to drought or water shortages.

HR 1364, Martin - 47 DO PASS in H.Judiciary  
CA to authorize community redevelopment and authorize counties, municipalities, housing authorities, and local boards of education to use tax funds for redevelopment

purposes including repayment of debt on tax allocation bonds. *Is there is not enough money to fund education for students and community redevelopment, too? Perhaps the developers should look to others for their venture capital.*

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### **NEW Legislation**

SB 513, Fort - 39 S.State & Local Government

Fulton County property tax exemption of 50% of county taxes for citizens over age 65 whose income is up to 200% of the federal poverty level.

SB 530, Fort – 39 S.Finance

A local option sales tax of 1% to pay for maintenance and operations of public hospitals. Think Grady. A local referendum is required.

HB 1232, Heard – 104 H.Judiciary

Court bailiffs have a salary minimum and maximum stated in law. This bill increases the maximum from \$70/day to \$120/day.

HB 1292, Wilkinson – 52 H.Intragovernmental Coordination

If a water or sewer provider charges customers located outside its geographic boundaries a higher fee than it charges customers within its geographic boundaries, the revenues from fees received from customers located outside the geographic boundaries may not be used to fund repayment of any bond issues related to projects not related to the area served or not related to the provision of water or sewer service to those customers. This is a general bill, but was introduced to deal with Atlanta Water serving non Atlanta customers.

HB 1299, Jacobs – 80 H.Special Committee on Grady

Grady Health Care is required to contract with a non profit hospital management corporation for the management and operation of the hospital. Should that not happen, the Georgia Trauma Care Network Commission is to withhold funds for trauma care from the hospital.

HR 1303, Jacobs – 80 H.Health & Human Services

Creates the 6 member Grady Oversight Committee from both legislative chambers.

HR 1304, Jacobs – 80 H.Health & Human Services

Encourages the Grady Health System to adopt changes to its employee health benefits plan to require or encourage its employees to utilize Grady Health System for primary health care. Urges Fulton and DeKalb County to consider changes to their employee health plans to encourage their employees to utilize Grady Health System. Urges Grady Health System to end its closed staff model and open credentialing to community doctors to encourage other insured patients to utilize Grady Health System.

HB 1327, Geisinger – 48 H.Local Legislation

Redraws the boundaries of the City of Roswell.

HB 1342, Chambers – 81 H.Judiciary

Every state entity, county, city, school district, political subdivision, authority, and non profit which receives a direct or indirect allocation of tax funds of more than one-third of all income is subject to open meetings and open records. Persons who deliberately participate in a closed meeting for purposes which should be open to the public or who refuse to provide records to a requestor if not exempted from the open records law shall be guilty of a felony with a fine up to \$5000 and up to 12 months in jail.

HB 1356, Jacobs – 80 H.Regulated Industries

Counties and cities can approve Sunday sales of alcohol if approved in a local referendum.

HR 1437, Holmes – 61 H.Rules

Creates the Joint Study Committee on East Point, Georgia, Environmental Issues, the membership of which is the local delegation for East Point. It will focus on the ongoing serious environment issues concerning the Meredith wood treatment facility and its effect on the residents who live nearby. Report due December 2008.

HR 1449, Rice – 51 H.Energy, Utilities, & Telecommunications

Urges the Federal Trade Commission to remove the exemption for politicians from being subject to the National Do Not Call Registry.

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**CA** = constitutional amendment. Requires a 2/3s vote in each chamber and passage in a statewide referendum, next scheduled for November 2008.

**DV** = Differing Versions

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