

22 January 2010

LWVAF, Report from the Capitol, Week 2

The General Assembly was in recess this week. The joint Appropriations Committees heard the amended FY10 budget and FY11 budget recommendations of the governor. They were not pretty. In fact, they are pretty grim.

The governor has withheld \$900 million from state agencies since late July, but it has to be ratified by the legislature. Since that time, revenue has continued to drop, with a year to date collections through December of -13% compared to last year. So the FY10A budget needs to find about \$1.4 billion, or \$500 million more cuts. There is a slight estimate of increased revenues for FY11, about 4%, but the one time funds such as the federal ARRA dollars and the reserves which have been used to keep from cutting even more will be gone, so the cuts are continuing into the FY11 budget for almost every agency.

Results: Fewer classes will be offered at colleges and universities, fewer patients will be seen under Medicaid, fewer services will be available at Labor, higher fees will be asked of services that are offered, prisons are closing, schools have overcrowded classrooms and out of date texts, foster children are not monitored.

There seems to be no inclination to attempt some sort of balanced approach to this budget situation, excepting applying a 1.6% tax on hospitals and HMOs which do not serve Medicaid patients. Thirty five other states have both cut and raised taxes and/or fees during this down economy. Georgia's refusal to even consider some temporary revenue measures is making this even harder on those who rely on governmental services, including state employees.

The General Assembly is back in session on Monday, January 25 through Thursday, January 28, for Days 5 through 8.

CA = constitutional amendment. Requires a 2/3s vote in each chamber and a majority vote in the next general election, next scheduled for November 2010.

In COMMITTEE

DRIVERS LAWS

HB 538, Rice - 51 DO PASS in H.Judiciary Non Civil
Defensive Driving Courses are to be certified by the Department of Driver Services. Any completion documents from an unlicensed defensive driving course shall not be recognized for purposes of any driver improvement program required by a court.

NEW Legislation

DRIVERS LAWS

SB 287, Hill - 32 S.Public Safety

Replacement of a drivers license reported as stolen or forged will require a new number. ***This has implications for any record which uses the drivers license number as an ID, such as voter registration records.***

SB 294, Seabaugh – 28 S.Finance

Prestige license plates shall not have any additional fees attached to the annual registration of motor vehicles.

SB 295, Seabaugh – 28 S.Public Safety

Speed detection devices prohibited for use by cities on roads financed by the federal government, i.e. interstates.

SB 306, Heath – 31 S.Public Safety

Headsets for hands-free mobile devices are not included in the prohibition against devices impairing hearing or vision.

HB 938, Collins – 27 H.Judiciary Non Civil

Prohibits texting while operating any motor vehicle.

EDUCATION

HB 937, O'Neal – 146 H.Education

Repeals the nepotism clause for candidates for local board of education as of 1-1-10. This restriction was put into law in 2009 and has caused much angst especially in smaller school districts.

HR 1109 and HR 1111, Sims – 169 H.Ways & Means

CA to impose a state sales tax on the sale of lottery tickets. Local sales taxes would continue to be exempted. The state shall put the proceeds into a fund for K-12 educational programs and services.

HR 1110 and HR 1112, Sims – 169 H.Ways & Means

CA to impose a state sales tax on the sale of lottery tickets. Local sales taxes would also be collected. The state shall put the proceeds into a fund for K-12 educational programs and services.

ELECTIONS/ETHICS

HR 563, Stephens – 164 H.Rules

CA to have governor serve one six year term. The Lt. Governor would continue to be elected for 4 year terms. ***The other six constitutional offices are not addressed. The constitution says they shall be elected in the same manner and at the same time as the governor.***

HB 920, Willard – 49 H.Judiciary

Limits gifts to public officials to \$100, the same as the limit for elected officials. Limits transfer of funds from one candidate to another to \$10,000 per election cycle. Increases maximum contributions to General Assembly candidate or any candidate for public office other than state wide to: \$2400 for a primary or a general election, and \$1200 for a primary run-off or a general run-off. Those appointed by the governor for a full time salaried position shall now be required to wait one year before becoming a lobbyist.

GOVERNMENT

SB 311, Shafer – 48, S.Natural Resources & Environment

The Environmental Protection Division shall monitor the amount of water extracted from lakes and aquifers which is escaping through faulty water pipes and limit or charge the offending jurisdiction for failure to repair.

SB 312, Harbison – 15 S.Judiciary

Peace officers charged with a death shall be subject to cross examination when appearing before a grand jury.

SB 313, Harbison – 31 S.Judiciary

All witnesses including law enforcement officers shall be sworn when testifying before a grand jury. Unsworn testimony is to be disallowed for any purpose.

SB 314, Heath – 31 S.Special Judiciary

Unsolicited newspapers, handbills, or other printed materials must be picked up by those who distribute such items within four days.

HR 821, Shafer – 48 S.Transportation

CA to permit DOT to enter into contracts up to ten years without obligating the full amount of the contract from funds available. The contract must provide for termination if insufficient future funds available. ***Currently, public entity contracts must encumber the entire amount for any contract amount due. As DOT has done such an good job of monitoring its outstanding contracts and funds, it is desired to given them this authority in perpetuity.***

HR 822, Mullis – 53 S.Transportation

Urges DOT to seek a federal waiver to allow retail developments in interstate rest areas.

GUNS

SB 291, Shafer - 48 S.Public Safety

Revise the concealed weapons law to permit carrying a firearm in a vehicle while dropping off or picking up passengers at airports; removes the fingerprint requirement from license renewals, and forbids any state authority to confiscate any weapons for any reason including a state of emergency.

SB 308, Seabaugh – 28 S.Special Judiciary

If one possessed a concealed weapons permit, one may carry it anywhere except a college dorm and a school building. Shifts issuance of weapons permits to the Secretary of State rather than the local probate judge. ***Current law also forbids guns at school functions and within the 1000 ft school safety zone around a school.***

HIGHER EDUCATION

SB 293, Seabaugh – 28 S.Higher Education

Expands the Lottery Corporation Board from seven to nine members with three to be appointed by the governor, three by the Lt. Governor, and three by the speaker. The legislative oversight committee, co-chaired by the chairs of House Regulated Industries and Senate Economic Development, is expanded to include the chairs of Senate and House Appropriations, Senate Finance, House Ways & Means, Senate and House Higher Education, Senate Education and Youth and House Education, Senate Government Oversight and House Government Affairs. Two members of the Senate shall be appointed by the Lt. Governor and two members of the House by the Speaker. The legislative committee shall approve the list of the Lottery Corporations proposed bonus or incentive packages annually. ***Currently, the governor appoints all members of the Lottery Corporation and the legislative oversight committee does not rule on any lottery budget.***

REVENUE/TAXATION

HB 868, Sims – 169 H.Ways & Means

Sales Tax on new mobile homes shall not include any local sales tax and the state tax shall be on 60% of the invoice amount. No sales tax shall apply to used mobile homes.

#####

Sally FitzGerald, Observer

sallyfitz@bellsouth.net

League of Women Voters – Atlanta/Fulton

www.lwvaf.org

LWVAF.10.Wk2.22Jan