

15 January 2015

LWVAF, Report from the Capitol, Week 1

The first week of the session has concluded, most of it ceremonial. Many bills were introduced, but the budget bills are not yet available. The governor's State of the State address is available at www.gov.ga.gov under press releases for 1-13-15. His GA Chamber of Commerce Eggs and Issues speech can be found there as well. He promises to work with the legislature to address transportation funding, to create a state school district for failing schools to be called Opportunity School District on the model of that of Louisiana, to pump over \$1 Billion into the education budgets, to create a new agency to oversee probationers and parolees, and to continue to work to attract jobs. He enjoyed patting himself on the back for making GA attractive to business entities. He failed to say that often the pot is sweetened with taxpayer funded incentives.

The list of committee memberships and named chairs has not yet been released, nor do we know where the new legislators offices are. I will include those in a later newsletter.

BOLD Bill Number indicates final passage

CA = constitutional amendment. Requires a 2/3s vote in each chamber and a majority vote in the next general election, next scheduled for November 2014.

NNS = Needs No Signature

In CHAMBERS

HEALTH

SR 16 Unterman – 45 **NNS PASSED** Senate

Reaffirms the shared commitment of the United States and the United Kingdom to end sexual violence globally and support the goals and ideals of the Global Summit to End Sexual Violence in Conflict.

NEW LEGISLATION

BUDGET

HB 14 Turner – 21 H.Appropriations

Fiscal Accountability Act. Use of federal funds by any local government or school district must get prior approval from the General Assembly. If funds are received prior to this approval, they are put in the state's General Fund. ***This is a very tough position to put local governments in as the money can be awarded at any time but the General Assembly meets only in the first 3 months of the year, and there is no timeline for these approvals.***

SR 14 Parent – 42 S.Appropriations

CA to have an education budget passed and signed by the governor before any general budget is considered.

CHILDREN

SR 7 Unterman – 45 S.Judiciary Non Civil

CA to create the Safe Harbor for Sexually Exploited Children Fund and to allow the General Assembly to impose additional penalties or fees for various sexual offences against minors.

SB 8 Unterman – 45 S.Judiciary Non Civil

Itemizes childhood sexual abuse crimes. Extends age to 25 to file civil actions for damages of such crimes. If SR 7 CA passes, an 8 member commission is established to oversee creation and costs of care and rehabilitation and social services for minors who have been sexually exploited. It may recommend to Governor and General Assembly changes in state programs, laws, policies, budgets, and standards relating to the care and rehabilitation of such minors. Additional penalties of \$2500 shall be imposed per conviction of anyone over 18 for such offenses which shall be put in the Sexually Exploited Children Fund within the state treasury. Those under 18 cannot be guilty of these same crimes.

HB 52 Quick – 117 H.Juvenile Justice

Parenting plans shall be part of a final divorce decree when a child is involved unless otherwise ordered by the court.
Currently, there is no other option for either a parenting plan or a different timetable.

DRIVERS LAWS

HB 13 Brooks – 55 H.Public Safety & Homeland Security

Law enforcement must have policies that ban officers from using race or ethnicity as probable cause or reasonable suspicion to stop a motor vehicle unless to confirm a previously obtained description of a suspect. Documentation of race, ethnicity and gender of driver and passengers must be provided for most traffic stops.

HB 42 Smith 125 H.Judiciary Non Civil

DUI would require incarceration upon the first conviction and ban earned time allowance to shorten sentences.

HB 48 Coleman – 97 H.Motor Vehicles

Special license plates honoring family members of military personnel killed in action may be extended to the surviving spouse of such service member's sibling.

EDUCATION

SB 2 Tippins – 37 S.Education & Youth

Students who complete postsecondary work at an accredited institution may be awarded a high school diploma without further testing if: 16 years and older and has 2 units each of English-Language Arts, Math, Science, Social Studies, earns an associates degree or technical college diploma and complete all required prerequisites for an industry certification or license.

HB 43 Smith – 125 H.Education

Permits either parent to pick up or drop off their child at school barring any court order to the contrary.

HB 62 Tanner – 9 H.Education

The special education voucher requires students to be enrolled for 1 year in a public school. This requirement is waived for those whose parents is an active duty military service member stationed in Georgia within the previous year.

ELECTIONS/ETHICS

SB 20 Parent – 42 S.Reapportionment & Redistricting

Creates a Citizen's Redistricting Commission with 2 members appointed by the governor, each from a different political party, 1 each by the Lt. Governor, Senate Minority Leader, Speaker, House Minority Leader, and 1 member is to be chosen by the other 6. None can be a legislator. Redistricting plans to be voted on by each chamber with no amendments.
A LWV priority.

SB 21 Jones – 10 S.Ethics

Changes the name of the GA Government Transparency and Campaign Finance Commission to the GA Ethics Commission. Three members of the commission would be appointed by the Chief Justice of the Supreme Court and the other two would be appointed by the Chief Judge of the Appeals Court to 4 year terms, staggered. Members would be allowed one term only. Complaints are to be ruled upon within 180 days with one 180 extension allowed.

SB 22 Jones – 22 S.Ethics

Public employees may reveal a violation of or non compliance with a law, rule, or regulation to the media, if after having done so to a supervisor or government agency, no remedy has been observed within 60 days.

SR 23 Parent – 42 S.Reapportionment & Redistricting

CA to have a 7-member independent, non partisan commission do legislative and congressional reapportionment. Commission will have 2 members appointed by the governor, each from a different political party, 1 each from the Lt.

Governor, Senate Minority Leader, Speaker, House Minority Leader, and 1 member is to be chosen by the other 6. None can be a legislator. Plans to be voted on by each chamber with no amendments.

SR 24 Jones – 10 S.Ethics

CA to provide funding for the Georgia Ethics Commission at .0075% of the total state funds yearly and the funds shall not lapse. Enabling legislation is SB 21. *On a state budget of \$19 Billion, the Ethics Commission would get \$1.4 million.*

SB 25 Fort – 39 S.Ethics

Voter registration allowed on the same day as an election, primary, or runoff or during the advanced voting periods. County registrars would have 3 days to determine whether the application was accepted. *The voter would cast a provisional ballot and if the voter registration application is accepted, the vote would be counted at the same time other provisional ballots are counted.*

SB 26 Fort – 39 S.Ethics

Advanced voting shall include a second Saturday, that is the Saturday immediately prior to the election day.

SB 27 Fort – 39 S.Ethics

Advanced voting shall be for the same time period that absentee by mail ballots are available, i.e. 45 days before an election.

SR 27 McKoon – 29 S.Ethics

CA to lower the minimum age of Senators from 25 to 21.

SB 28 Fort – 39 S.Ethics

Absentee ballot applications by mail must be accompanied by a valid photo ID. Voters at the polls in person may present, in lieu of a valid photo ID, a copy of a current utility bill, bank statement, government check, paycheck, or other government document showing name and address of the voter.

HB 41 Smith – 125 H.Government Affairs

Elected statewide public officials cannot accept any fee or **other valuable consideration** in excess of \$100 for a speaking engagement, discussion panel, or other such activity. Other elected officials also forbidden to accept any fee or other valuable consideration. *Currently, the law reads 'fee or honorarium in excess of \$100'.*

HB 46 Turner – 21 H.Government Affairs

Candidates on the ballot may inspect absentee ballots for 2 years after the date of the election or primary and may make copies of ballots at personal expense. *Why? By this time, the ballot is without any identification of who cast it.*

HB 58 Pezold – 133 H.Government Affairs

Ballot Access Reform Act of 2015. Nominating petitions for state-wide, congressional, General Assembly and other offices on a partisan ballot will required 2% of votes cast in the last election for this office. *Currently, 1% of registered voters is required for state-wide and congressional seats, and 5% of registered voters for all others. LWV supports easier access to the ballot.*

GOVERNMENT - GENERAL

HB 8 Brooks – 55 H.Industry & Labor

Increases the minimum wage to \$15/hour and indexes it to inflation annually. Teen employees and very small businesses are exempt.

HB 9 Brooks – 55 H.Industry & Labor

Employment applications may not ask about arrest history except law enforcement agencies. The question may be asked during the interview process.

SB 19 Orrock – 36 S.Insurance & Labor

Wages earned shall be deemed to be employment unless Department of Labor determines that the person is a true independent contractor.

SB 23 Butler – 55 S.Judiciary

Public employees who observe a violation of law, rule, or regulation may share that with media if no action has been taken by a previous report to a supervisor or agency and have whistleblower protections.

HB 50 Benton – 31 H.State Properties

Public monuments of all kinds which honor the military service of any past or present military personal or other service of a US citizen including those of the Confederate State of America which is located with intent of permanent display and perpetually maintained shall be unlawful. Appropriate preservation, protection, and interpretation of such monuments are allowed. Includes privately owned monuments on privately owned property. Persons or entities which damage, destroy or lose a monument shall be liable for full costs of repair or replacement, attorneys fees and court costs.

HB 57 Dudgeon – 25 H.Energy, Utilities, Telecommunications

Solar Power Free Market Financing Act of 2015. Persons who install solar technology on their private property and sell the excess to the power company are not to be treated as an electricity service provider. ***This bill is extensive and should be consulted by those considering such solar installations.***

GOVERNMENT – COURTS AND CRIMES

HB 44 Smith – 125 H.Public Safety & Homeland Security

Bans drones above 500 feet or within 5 miles of the center of any airport unless approved by the airport.

HB 59 Willard – 51

The defense of sovereign immunity is waived for declaratory judgment or injunctive relief brought by an aggrieved person.

GOVERNMENT – COUNTIES AND CITIES

SB 10 Ramsey – 43 S.State & Local Government

When members of local governing bodies need to be appointed temporarily because a vacancy exists through the suspension of an elected official, 3 names shall be forwarded to the governing body by a member of that governing body or the executive officer. Voting must be within 30 days. If the vacancy has existed for 180 days (6 months) at the time this proposal becomes law, the governor shall make an appointment from the nominee list. ***Currently, the governor appoints in all cases. DeKalb.***

HB 15 Turner – 21 H.Regulated Industries

Permits sale of any fireworks permitted under federal law. Transfers to local governments the authority to regulate.

SB 24 Fort – 39 S.State & Local Government

Local bills in each chamber must have signatures of members representing at least 50% of the local population in the applicable area or jurisdiction.

HEALTH

SB 1 Bethel – 54 S.Insurance & Labor

Requires insurance coverage for autism related disorders for children under the age of 6 and up to \$35,000/year.

SB32 Seay – 34 S.Insurance & Labor

State employees and teachers who are insured with Blue Cross/Blue Shield under the State Health Benefit Plan and use the Grady Hospital network for health care shall be given another open enrollment period to make an alternate insurance choice. ***Blue Cross/Blue Shield has removed Grady from its approved network by refusing to pay the same reimbursement rates they pay to private hospitals.***

HB 47 Cooper – 43 H.Health & Human Services

Authorizes a pharmacist to refill ophthalmic prescriptions without physicians consent up to 70 days of use. *Some patients have wastage problems with eye meds, especially drops.*

HB 53 Waites – 60 H.Health & Human Services

Consenting to health care or surgery is a consent for HIV testing. The patient may withdraw consent except in emergency or life-threatening situations.

HIGHER EDUCATION

SR 12 Thompson – 5 S.Higher Education

CA to give the General Assembly authority to set limits on tuition that may be charged to students receiving lottery funded scholarships and grants in GA institutions.

SB 13 Thompson – 5 S.Higher Education

Amount of HOPE grant or scholarship shall be accepted as full payment of tuition by GA public institutions. Enabling legislation for SR 12.

SR 13 Harbison – 15 S.Higher Education

Encourages the Board of Regents to award academic credit for learning acquired before admission such as in the military, on a job, or other life experiences.

SB 14 Fort – 39 S.Higher Education

Students receiving grants for college may agree to pay a certain percentage of their annual adjusted gross income to GA Student Finance Administration for a number of years as payback.

SB 18 Harbison – 15 S.Higher Education

Technical System of GA shall provide academic credit for college level learning acquired prior to enrollment, such as in the military, work experience, service in the community, or independent study.

HB 54 Waites – 60 H.Higher Education

Children of law enforcement officers, firefighters, prison guards, and HERO personnel killed in the line of duty may attend any University System of GA institution on a grant of \$8000, paid up to \$2000/year. Student must be less than 22 years of age and have a GPA of 2.5 or above. Funded by state appropriations, donations through the income tax returns, or donations when renewing one's driver's licenses.

REVENUE/TAXATION W&M = House Ways & Means Committee

SB 16 Butler – 55 S.Finance

Corporations which received development subsidies to create new full time jobs must pay a livable wage and benefits to those employees. State must provide clawback or rescission measures for such subsidies.

SB 17 Fort – 39 S.Finance

Low income tax credits allowed for residents with no taxable income. *Currently, credits are allowed up to the credit limit or taxable income, whichever is reached first.*

HB 45 Smith – 125 H.W&M

An income tax exemption for military retirement payments including survivors benefits.

HB 49 Harrell – 106 H.W&M

At the discretion of the county tax commissioner, a taxpayer may receive tax bills or subsequent delinquent notices by electronic transmission rather than by mail.

HB 51 Benton – 31 H.Judiciary

Owners of property sold to satisfy taxes may redeem such property by repaying the buyer all costs incurred in the transaction.

HB 55 Turner – 21 H.W&M

Fraternal entities are exempt from property taxes if their charter was issued 125 years ago or more. ***Currently, the law reads 'charter issued prior to 1-1-1880'. Rewording will allow other fraternal organizations to become eligible as years go by.***

HB 60 Setzler – 35 H.Transportation

A sales tax exemption for sale of motor fuel and a reduction of the personal income tax by one tenth of a percent yearly between tax years 2018 and 2022. Raises the excise tax per gallon to 22.5 cents, up from the current 7.5 cents, by 2022 and thereafter adjusted for inflation annually. ***LWV would like to see the financial impact of this bill. And revenue raising measures are normally assigned to the Ways & Means committee. Why not this bill?***

HB 63 Tanner – 9 H.W&M

Georgia Employer GED Tax Credit Act of 2015. Employers who offer the GED preparation course on their premises and under the supervision of the Technical College System of GA are granted an income tax credit of \$400/employee who passes the Basic Skills Test paid for by the employer and \$1200/employee who completes the 40 hour course and passes the test paid for by the employer.

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Know the issues. Join the conversation. Make a difference.

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