

13 January 2017

LWVAF, Report from the Capitol, Week 1

The General Assembly met for four days this week, completing Legislative Day 4. As usual, most of the first week of a new term is ceremonial with the swearing in, adopting rules of the chambers, the Governor's State of the State address which includes clues to the proposed budget, assignment of desks and committees.

The Senate has changed the date of Crossover, when bills must clear one chamber to be considered by the other, to Day 28 to provide two additional days for consideration of bills from the other chamber. The Judiciary committees have been combined into one committee, which means one chairman is out. Senate committee meetings still will not be televised, as the House does, but intersession study committees may be teleconferenced.

The House added another subcommittee to Appropriations to deal with Transportation Infrastructure. The primary purpose is to make recommendations on the expenditure of the monies being allocated for these projects. It will also cover Department of Transportation and the state Rapid Transit Authorities, GRTA and SRTA.

A meeting calendar was adopted through February 3. The second week is the MLK holiday week with two days devoted to Appropriations Hearings. The other three weeks will meet Monday through Thursday, completing Day 12.

Both budgets were released on Wednesday as HB 43, the amended FY17 budget, and HB 44, the FY18 budget. Much more will be written about the recommendations next week. A brief examination of HB 43 shows a lot of vehicles are being replaced and additional funds are made available in several departments for investigations, both civil and criminal.

Next week, the appropriate hearings take place for the FY18 budget on Tuesday and Wednesday. The legislature comes back into session on Monday, Jan. 23, for Day 5.

CA = constitutional amendment. Requires a 2/3s vote in each chamber and a majority vote in the next general election scheduled for November 2018.

NEW LEGISLATION

BUDGET

CHILDREN

HB 52 Oliver – 82 H.Juvenile Justice

TANF, Temporary Assistance to Needy Families, assistance for children with legal custodians may be received. Currently, children in the care of parents, legal guardians or caretaker relatives may receive assistance.

HB 53 Oliver – 82 H.Juvenile Justice

Juvenile courts may handle those under age 18, currently under age 17.

EDUCATION

HB 23 Mitchell – 88 H.Education

Charter schools cannot be exempted from administering the state mandated tests; grades for K, 1, or 2 students cannot be included in the accountability scores of the school; state wide assessments cannot be used for purposes for which they are not demonstrably valid or reliable. Parents are to be allowed to review all materials used in the test administration, including the answers for their student, within 45 days of the request. ***Written for charter schools under the authority of a local school board. Appears to exclude charter schools authorized by the Charter School Commission. In GA, all charter schools are required to administer the state required tests.***

HB 24 Mitchell – 88 H.Education

Requires an incentive pay program for teachers in schools with a high number of students in poverty or a high percentage of such students, subject to appropriations.

HB 28 Mitchell – 88 H.Education

Requires testing for lead in each K-12 school, public or private by Dec 31, 2017. Remediation plan to be in place where lead is above acceptable levels. DOE and DPH to establish guidelines for levels and remediation.

HB 29 Mitchell – 88 H.Education

Bans accreditation of K-12 schools by an entity which does not provide open record access to any records if sanctions imposed. *This would prevent the Southern Association of Colleges and Schools from doing any accreditation, and it does almost all of the public school now. Private schools often use other entities.*

ELECTIONS/ETHICS

HR 2 Gardner – 57 H.Reapportionment

CA to define objectives for a decennial reapportionment. Permits the state Senate to be between 30 and 56 members and the House to be between 120 and 180 members. If the legislature fails to approve reapportionment in either a regular or special session, the state Supreme Court shall do it.

HR 3 Gardner – 57 **SUPPORT** H.Reapportionment

CA to reapportion the legislative and congressional districts by a bipartisan commission of 14 members selected under the direction of the GA Supreme Court. The commission will draw up the proposals for the General Assembly to adopt without amendment.

HB 42 Lumsden – 12 H.Government Affairs

Ballot mistakes may be corrected, if feasible, by the local election superintendent on the DREs as well as the printed ballot.

GOVERNMENT - GENERAL

HB 27 Mitchell – 88 H.Judiciary

A debtor can cure a foreclosure by making all past due payments, late fee, and charges prior to foreclosure.

HB 55 Williams – 145 H.Regulated Industries

Limits service of any member of a professional licensing board to 8 consecutive years for those appointed after 7-1-17.

HB 57 Harrell – 106 H.Regulated Industries

Defines ‘alcoholic beverage’ as all alcohol, distilled spirits, beer, malt beverage, wine, or fortified wine.

GOVERNMENT – COURTS AND CRIMES

HB 9 Blackmon – 146 H.Judiciary Non Civil

Bans using any device to film under or thru’ a person’s clothing by anyone 16 and over without consent of the person observed. Exceptions are law enforcement if investigating or prosecuting a criminal offense or a retailer monitoring a customer changing room if signage conspicuously warns of such surveillance.

HB 34 Petrea – 166 H.Public Safety and Homeland Security

An extensive revision of probation and parole systems and includes changes to information accessibility about certain offenders.

GOVERNMENT – COUNTIES AND CITIES

HB 14 Jones – 167 H.Judiciary

Sheriffs on salary only shall remit any fees to the county treasurer or fiscal officer within 30 days of receipt. *No consequences are itemized in this proposal. In other areas of commerce, cash deposits have to be done within much shorter periods of time, such as one or two days.*

HB 33 Raffensperger – 50 H.Judiciary

Requires that persons appointed to authorities, boards, councils, and commissions that set policy, levy taxes, or collect fees be U.S. citizens, lawful permanent residents or lawful aliens. Excludes ex-officio and non-voting appointees.

GOVERNMENT – EMPLOYMENT

SB 10 Rhett – 33 S.Retirement

Provides GA retirement service credit for up to 3 years of U.S. military service. The specific pension plan is unnamed.

HEALTH

SB 16 Watson – 1 S.Health & Human Services

Adds ‘autism’ to the conditions that can be treated by medical marijuana and reduces to 3%, from 5%, the amount of active ingredients in it.

HB 35 Broadrick – 4 H.Insurance

Pharmacy benefits managers of health insurance plans shall provide a confirmation of receipt for prior approval of a prescription drug to a pharmacy within 48 hours of receipt. The confirmation receipt shall have sufficient information for follow-up.

HB 36 Ehrhart – 36 H.Health & Human Services

Permits optometrists to administer certain drugs by injection.

HB 40 Turner – 21 H.Agriculture & Consumer Affairs

A veterinarian shall disclose the rabies vaccination of an animal within the veterinarian’s care within 24 hours of a written request by a doctor of any person bitten by the animal. *Currently, medical records of an animal must be kept confidential just as those for a person.*

HIGHER EDUCATION

HB 37 Ehrharts – 36 H.Higher Education

Private post secondary institutions shall not adopt sanctuary policies. State funds for the institution and its students can be the penalty.

HB 51 Ehrhart – 36 H.Appropriations

College students who are suspected of having committed a crime are to be reported immediately by the enrolling institution to the law enforcement entity or the district attorney in the jurisdiction for investigation. The institution shall not conduct an investigation unless it is done by the campus law enforcement agency by POST certified officers. Suspension of the student is allowed, but final disciplinary action shall be taken only after a guilty conviction or plea of nolo contendere.

REVENUE/TAXATION

SB 14 Burke – 11 S.Finance

An income tax credit for donations to health institutions for members of LLCs, shareholders of subchapter ‘S’ corporations or partners in a partnership up to \$10,000 per year may be taken against income from those sources.

HB 54 Duncan – 26 H.Ways & Means

The income tax credit for donations to qualified rural hospitals is increased to 90%, currently 70%, of actual amount up to \$2500 for single and \$5000 for joint returns. Aggregated amounts statewide will be \$60 million per year for 2017, 2018, and 2019, a change from \$50 million, \$60 million, and \$70 million respectively. Annual reports by the recipient hospital organization are to include payments made to third parties to solicit, administer, or manage donations.

HB 56 Stephens – 164 H.Ways & Means

An ad valorem, property, tax of 1.5% is imposed on 5 years upon equipment rented for less than a year. The equipment is primarily designed and used for construction, industrial, maritime, or mining uses and rented with an operator.

TRANSPORTATION, DRIVING

HB 38 Powell – 32 H.Motor Vehicles

Adds 3-wheeled vehicles with steering wheels to those eligible for a Class C drivers license. Class M licenses for 3-wheeled motorcycles shall have handle bars for steering.

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