

19 January 2018

LWVAF, Report from the Capitol, Week 2

This week contained a holiday, one day of budget hearings, two weather days, and two legislative days. The legislature will return on Monday for Day 7, when the chambers will likely set a faster pace.

The budget is the primary focus in the House. First they will examine the amended budget. After it is passed, the Senate will begin its review. The House will move on to the FY19 budget, which is somewhat iffy depending on what the federal government does with its spending. Both bills are likely to end up in conference committees and may not be passed until near the end of the session. The budget for the following year is the only constitution requirement for the legislature to pass. The amended budget exists primarily to fund educational institutions for enrollments over the numbers estimated in the full year's budget passed the previous year.

New legislators have been seated in both chambers, and all have been assigned to committees and offices. This information may be found on the legislative web site, www.legis.ga.gov. The House still has one seat to be filled, that of Amy Carter from Valdosta who resigned to take a position with the Technical College System.

The adoption bill has cleared the Senate and was immediately sent back to the House. This is an extensive bill, but now includes only DFCS adoptions. Private adoption agency provisions were removed and will be taken up in a separate bill, as yet not introduced. The House did not act on the one bill on its calendar on Thursday so that the budget hearings which were cancelled on Wednesday due to the weather could take place.

And there is a constitutional amendment in the new bills for this week. See SR 587 below.

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

DV = Differing Versions

In CHAMBERS

CHILDREN

HB 159 Reeves – 34 **PASSED** House **PASSED** Senate **DV**

Enact the recommendations on child support by the GA Child Support Commission which developed them over 3 years. Has added the provision for a parent to give a power of attorney to someone other than the grandparent to make parental decisions, particularly on health and school issues, for a period of a year, a provision that was vetoed last year. Single parents called to military duty, with health issues or other situations where the parent may not be a home to care for the child can use such a document. ***A revision of adoption law that has not been updated in over 30 years. Includes foreign adoptions and exceptions for the 10 day waiting period for birth mother to change her mind about putting the child up for adoption. Covers only state adoptions. Private adoptions will be covered in another bill. The religious language has been removed. The bill returns to the House where the author and Speaker claim they want a 'clean' adoption bill.***

LOCAL – FULTON and its CITIES

SB 317 Albers – 56 **PASSED** Senate

A homestead exemption for Fulton County Schools for the increase in assessment over the base year for school tax purposes. The base year is 2016, or the previous year the exemption is first granted to the current owner. The base year assessment can be increased annually by the lesser of 3% or the CPI for urban consumers. The exemption will not apply to improvements or additional land. An unremarried surviving spouse will retain the exemption as long as the

spouse occupies the homesteaded property. Applies to 2019 and beyond. Local referendum is required, to be held in conjunction with the general election on Nov 6, 2018. ***Critics of the huge assessment increases for 2017, which were rolled back by Fulton County Commission to those of 2016, will not be satisfied. Assessments will rise in 2018. January 1 of each year is the date for determining fair market value. The bill does not state this, but the base year is the reset to the purchase price when owner changes hands.***

NEW LEGISLATION

BUDGET

HB 683 Ralston – 7 H.Appropriations

F2018A Budget. The current year budget amended to reflect the increase in revenues of \$300 million. The top items in the governor’s recommendations are:

- \$10 million in Community Affairs for beach nourishment projects, after Hurricane Irma.
- 27 million in Community Health to reflect increased need in Medicaid
- 23 million in Community Health to provide a state match for hospital federal funds
- 102 million in DOEducation for QBE student increases not part of projected enrollment in original budget
- 15 million in DOEducation to buy 194 local school buses @ \$77,000 each with cash, not bonds as in the past
- 3 million in Forestry Commission to combat wildfires.
- 15 million in Dept of Human Services for Out-of-Home Care utilization
- 5 million in GBI for implementation of the statewide criminal justice e-filing system
- 2.7 million in Natural Resources to provide additional public access and land management activities
- 5.2 million in Public Health for GA Trauma Care from Super Speeder fines and collections
- 4 million in Public Safety to purchase 93 law enforcement pursuit vehicles
- 10 million in University System for Augusta University Graduate Medical School to cover an operating deficit
- 17 million in Revenue for Forestland Protection grant reimbursements
- 10.7 million in Student Finance Commission for additional students in dual enrollment programs, Lottery funds
- 18 million in Student Finance Commission for public school students for the Zell Miller scholarship, Lottery funds
- 25.2 million in DOT to expand 11 runway lengths to handle larger aircraft.

HB 684 Ralston – 8 H.Appropriations

FY2019 Budget for the year beginning July 1, 2018. The top items in the governor’s recommendation to spend the \$1 billion in additional revenue expected are:

- \$316 million to shore up Teacher Retirement funds spread through budgets of DOEducation, University System, and Technical College System of GA
 - 15 million in Behavioral Health and Development Disabilities for children’s mental health, 3 items
 - 3.5 million in Economic Development, OneGeorgia Authority, for economic development projects
- 142.4 million in Community Health, net, for Medicaid-Aged Blind and Disabled
- 83 million in Community Health for Medicaid-Low Income, 3 items
- (96 million) reduction in DOE to reflect QBE reduction because of increased property values in local school districts.
- 30 million in DOE in Equalization Funds to low wealth school districts
- 120 million in DOE to local school systems for additional students enrolled
- 10 million in DOE for State Commission Charter School supplemental funds
- 29.1 million in Human Services for Out-Of-Home Care, 6 items
- 34.3 million in Student Finance Commission to fund additional students in dual enrollment programs, Lottery funds
- 35.7 million in Student Finance Commission for increased funds for public school students HOPE scholarships, Lottery
- 30 million in Student Finance Commission to fund HOPE Zell Miller scholarships, Lottery funds
- 12.2 million in DOT for capital construction projects
- 108 million in existing and new bonds for increased debt service costs.

CHILDREN

SB 326 James – 35 S.Judiciary

Child Sheltering Adolescent for Destructive Environment Law. Defines further the processes needed to place a child in legal custody or to whom such child can be released. Seems to focus on child being subjected to labor or sexual servitude and by whom. Release of such child will be to one having legal custody unless such person has subjected the child to such servitude.

HB 668 Price – 48 H.Judiciary

Outlines how an adult guardian can be appointed for a ward who is 17 and still a minor. Guardianship will not be effective until the ward has turned 18.

EDUCATION – PREK - 12

HB 672 Thomas – 39 H.Motor Vehicles

Permits speed detection devices and traffic-control equipment to be placed in elementary and secondary school zones as they are around college and university campuses. Adds school security personnel to those who may use such devices.

ELECTIONS & ETHICS

HB 652 Trammell – 132 H.Government Affairs

The requirement to remove electors from the voting rolls of those who did not vote and for which there has been no contact for 3 years is rescinded. 'No contact' means not having filed an updated voter registration, or change of address, having not signed a petition or not confirming an address during three calendar years. ***If passed, the state voter rolls will contain people who have died, moved out of state, are unable to cast any ballot because of physical or mental infirmities. There is no reason to keep these citizens on the voter rolls. For those who are capable of casting a ballot and consistently choose not to do so or do not respond to requests to verify their address, the state is being asked to keep the options open to vote even though the individual citizens has demonstrated a desire not to participate in the electoral process. Such removal from the voter rolls does not prevent the citizen from reregistering to vote at any time in the future.***

HB 680 Turner – 21 H.Government Affairs

Disallows digital electronic voting (DRE) machines as of 1-1-19. Allows all manner of paper ballots and ballot marking devices. Requires audits to determine if the electronic tabulating is correct. ***Replacing the DREs statewide is estimated to cost \$100 million, plus costs to local counties who purchased more than their state allotment. The money would have to be included in the FY19 budget, which it is not. Audits done manually to check tabulation errors is backwards. Far more errors are made with manual tabulation than with machine tabulation.***

GOVERNMENT – GENERAL

SB 587 McKoon – 29 S.Rules

CA to declare English as the official language of GA and ban government use of any other language. ***There is already a state law to such effect. Federal law requires the use of other languages if population has reached a threshold of numbers using such language. State law cannot overrule federal law.***

HB 676 Rakestraw – 19 H.Banks & Banking

Active service members with a mortgage or debt on real or personal property may be protected by a court order from foreclosure or repossession during the period of active duty and 30 days thereafter.

HB 681 Raffensburger – 50 H.Defense & Veterans Affairs

Authorizes a 3 year waiver of annual registration fees if at least one officer living in GA who served on active military duty and was honorable discharged for business corporations, non profits corporations limited partnerships, limited liability companies, and foreign limited liability partnerships.

GOVERNMENT – COUNTIES AND CITIES

SB 324 Albers – 56 S.Transportation

Cities may contract with any abutting county for the construction and maintenance of bridges within the boundaries of both the city and county. **Currently, cities may contract only with the county in which part of the city lies.**

HB 679 Beskin – 54 H.Government Affairs

Annexation and deannexation cannot take place between a municipal election and 90 days prior to the election.

Eliminates confusion on the part of voters and election officials on who is eligible to vote in the municipal election.

GOVERNMENT – COURTS AND CRIMES

SB 327 Albers – 56 S.Public Safety

A medical examiner’s inquiry will now longer be required for patient deaths while unintended by a physician.

HB 674 Willard – 51 H.Judiciary

Itemizes when sovereign immunity can be waived.

GUNS

SB 323 Jackson – 2 S.Public Safety

Allows guns to be sold to licensed entities or destroyed at the option of the state or local government. Unsafe guns must be destroyed. **Currently, all guns must be destroyed.**

HB 657 Petrea – 166 H.Public Safety & Homeland Security

Knowingly and intentionally providing a gun to a person on probation or as a felony first offender is a felony. But such provider is not required to inquire if the person receiving the gun is a felon.

HEALTH

SB 325 Kirkpatrick – 32 S.Health & Human Services

Interstate Medical Licensure Compact Act is to be administered by the Georgia Composite Medical Board. The compact allows expedited licensure of doctors licensed by other state within the compact. Outlines the authority of the compact board on the member states.

HB 669 Trammell – 132 H.Appropriations

Authorizes appropriations to expand Medicaid up to 138% of the federal poverty level.

HB 678 Smith – 134 H.Insurance

Sets parameters for information to patients and prospective patients as to the insurances each will accept, costs of services to such to patients for both in network and out of network and the providers that be asked to help with a patients and whether each is in network or not (anesthetists, radiologists, pathologists, etc.). Patient has 90 days to pay and collection efforts by providers can only start thereafter. Arbitration is allowed.

HR 888 Spencer – 180 H.Defense & Veterans Affairs

Creates a Joint Committee on Converting Closed Hospitals to Veterans Homes.

REVENUE & TAXATION

SB 328 Albers – 56 S.Finance

Repeals as of 12-31-18 these income tax exemptions:

- Federal qualified transportation fringe benefits
- Private drivers education courses
- Diesel particulate emission reduction technology equipment.

Bills raising revenue must start in the House, but bills decreasing revenue may start in either chamber.

HB 675 Cox – 108 H.Ways & Means

An income tax credit for employees for up to 3 years for an employer of a Medicaid eligible employee who participates in an employer's health plan and is not a Medicaid recipient. Credit is \$5000 per employee in year 1 and \$2500 in the other two years. Credit is repealed on 12-31-28.

HB 676 Rakestraw – 19 H.Ways & Means

Active military service members shall be granted a homestead exemption for the number of days on active duty in the previous year if over 90 days. State referendum required.

TRANSPORTATION & DRIVING

HB 673 Carson – 46 H.Judiciary Non-Civil

Use of wireless telecommunication devices while driving must be with a hands-free accessory. Bans any actions which distract the driver while operating a motor vehicle. Wireless telecommunication device use while driving will lose 3 points on the driver's license, 4 points for a second or subsequent violation. Exceptions for use are when the motor vehicle is lawfully parked, reporting on some type of emergency, when used by a public safety employee within the scope of employment, or by a public utility employee or contractor within the scope of employment while responding to a public utility emergency. Fines collected are to be deposited in the state general fund and used for trauma care. Violation of this law which results in a death is punishable by imprisonment of at least 3 – 15 years.

LOCAL – FULTON and its CITIES

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