

1 March 2019

LWVAF, Report from the Capitol, Week 7

This week the General Assembly met for five days, completing Day 25. Next week will be long days, but just three of them as they will meet Monday and Tuesday, off Wednesday, and returning Thursday for Day 28, CrossOver Day. Floor calendars are usually long, squeezing the time after adjournment for committee meetings. Therefore, bills that have not gotten committee blessing by now will probably not make it to the floor this year.

Once CrossOver Day has passed, each chamber will cease working on bills originating there and begin hearing bills from the other chamber, except for local legislation which is not bound by CrossOver. Bills not making the cross over will be held over until next year.

The FY20 budget that begins July 1 **PASSED** the House Friday. There were some changes, the biggest of which is the teacher pay raise. It was proposed to be \$3000/year, but certified teachers not serving in a classroom, such as counselors and library specialists, were not included. The budget people cut the raise to \$2775/year and gave every certified teacher that increase. GA is in need of teachers of all stripes and the legislators did not want to have two separate teacher salary scales and risk even further not being able to recruit.

The election bill that authorizes ballot marking devices producing a paper ballot for voting passed the House. The minority party desired to have paper ballots which people mark and have introduced bills in each chamber to do that. They are highly unlikely to get any attention.

Voucher bills are again in the breast of the Education Committees. League of Women Voters does not support vouchers in any form, and neither does the GA Constitution, because they put public money in the hands of sectarian schools, an inconvenient truth to the sponsors.

This and past issues of the legislative newsletter are posted at www.lwvaf.org and www.lwvga.org attached to the Under The Gold Dome newsletter.

BOLD Bill Number = final passage

CA = constitutional amendment. Requires a 2/3s vote in each chamber and a majority vote in the next general election scheduled for November 2020.

DV = Differing Versions

NNS = Needs No Signature

TGFS = To Governor for Signature

In CHAMBERS

BUDGET

HB 31 Ralston – 7 **PASSED** House S.Appropriations

FY20 budget, beginning July 1, 2019 and ending June 30, 2020. All state employees will get a 2% salary increase which includes local government employees on a state salary scale such as education bus drivers, food service workers, school nurses, sheriffs and their deputies and tax commissioners. Certified teachers get a \$2775 raise. These amounts are spread throughout the departmental budgets.

CHILDREN

HB 228 Welch – 110 **PASSED** House S.Judiciary

Minimum age for marriage is age 17, currently 16. Person must also be an emancipated minor. The older party may not be more than 4 years older, and each member of the couple shall have completed approved premarital education. Repeals the option of an earlier marriage with parental consent. The Department of Public Health is to prepare a fact sheet for public availability for premarital educational providers. If the parties go to another state to marry and return to Georgia, the age requirements for marriage still apply.

EDUCATION – PREK – 12

SB 15 Albers – 56 **PASSED** Senate H.Public Safety & Homeland Security
Keeping Georgia’s Schools Safe Act. Every public school, K-12, shall conduct a threat assessment, an evaluation to effectively respond, prevent, or reduce the threat of violence, mass casualty incidents, and other acts of violence, natural disasters, and hazardous materials or radiological accidents. The first shall be done by January 1, 2021, and every 4 years thereafter. Additional safety issues to be included in the resulting School Safety Plan are risks in school safety zones, for school functions in non-instructional hours, and in school transportation of students. The principal or designee will act as the school safety coordinator. Safety coaches are optional for schools and may be paid or volunteer. GEMA shall train school safety coaches who shall be current or former members of the armed forces, law enforcement, or fire departments.

SB 67 Burke – 11 **PASSED** Senate H.Appropriations
Local school districts which have sustained damage or destruction of an educational building caused by a fire or natural disaster where the majority of the building is destroyed or damaged shall be immediately qualified to receive capital outlay funds. **Currently, to be eligible for capital outlay funds, the school district must develop and the SBOE approve a five-year capital outlay plan, the building must be on the annual request for funds, and the local school system has on hand funds to meet its share of the costs. This proposal eliminates the need to revise the capital outlay plan and get SBOE approval for same.**

SB 68 Sims – 12 **PASSED** Senate H.Education
Local school board members must be exposed to ‘financial management’ in their required training. A candidate for reelection to the board must have completed all prior annual training requirements. The financial status of the local school system must be reviewed at each regular school board meeting. The SBOE is to create a template for such review. The Department of Audits and Accounts shall designate local school systems with 3 consecutive years of reported irregularities or budget deficits as ‘high risk’ school districts; those with irregularities or deficits for 1 or 2 consecutive years are to be labeled moderate risk. A corrective action plan is to be developed within 120 days. School districts cannot be approved for a flexibility contract if ‘high risk’ without a corrective action plan. Office of Student Achievement shall monitor each local school system’s financial stability. Oath of school superintendents to include a promise to manage the finances of the school system, and the superintendent is to report to the board during each monthly meeting the financial status. The superintendent must complete all financial management and governance trainings. Newly elected local board members are to be given guidance and training about the school system’s audit findings and risk status. Charter schools and charter systems have these same requirements. **Currently, there are 17 ‘high risk’ school districts.**

EDUCATION – POSTSECONDARY

SB 91 Hufstetler – 52 **PASSED** Senate H.Higher Education
Accredited orthodontic schools are exempt from regulation of non-public postsecondary educational institutions. **Medical schools are already exempt.**

ELECTIONS & ETHICS

HB 316 Fleming – 121 **PASSED** House S.Ethics

The voting machine to be used statewide is an electronic ballot marker producing a paper ballot to be read by an optical scanning tabulator. If a voter identification cannot be verified on an absentee ballot, the data is to be reviewed for data entry errors. The Secretary of State may become a member of a non-governmental entity composed solely of election officials of state, territorial, and DC governments to share information on voters registered. The federal government cannot be a part of this non-governmental organization. A voter may become 'inactive' if they have not voted or had any contact with the county registration division for five years, currently 3. Inactive voters are removed the day after the next general election. The voter shall be notified by mail at the address on file between 30 and 60 days prior to such removal. Precinct changes can be made 30 days after notice is published in the legal organ, currently 10 days. The notice is to be submitted to the Secretary of State. Polling places cannot be changed within 60 days of an election or primary or within 30 days of a special election or primary except in an emergency. The Secretary of state is authorized to have a pilot program of this new equipment. Each precinct will have at least one electronic ballot marker machine. Criteria for the new equipment and the display of the ballot the voter will see are defined. Absentee ballots are to be delivered to electors in jail within the county or city. Absentee ballots are not to be rejected if the signatures do not match. The elector shall be sent a provisional absentee ballot. If the ballot is returned prior to election day, the elector may submit a copy of the elector's identification with a signature. The board of registrars or absentee ballot clerk may accept the ballot or reject it if documentation is insufficient. Additional registrar offices may be located at polling places in nongovernmental buildings. The new voting equipment may be used in municipal elections and primaries if the Secretary of State finds it feasible. Voter identification cards are valid as long as the voter lives within the county, not necessarily at the same address. Local election superintendents will have until the second Friday after election day to certify results, currently just one week. The Secretary of State has authority to extend the certification period if it is necessary to complete an audit. Automatic recounts are triggered by less than ½ of 1% of the number of votes separating candidates, currently 1%. Local election superintendents shall conduct precertification audits according to rules set out by the State Election Board. The Secretary of State shall conduct a risk-limiting audit by 12-31-21. ***League of Women Voters supports ballot marker devices, but does not have a position on this omnibus bill. Ballot marking machines are used in 24 states, not necessarily for all voters. It is capable of serving persons with disabilities. The state expects to order about 25,000 machines with the \$150 million in bonds in the proposed budget. The new equipment will be tested in municipal elections in 2019 with expectation that all in-person voters will use it in 2020.***

GOVERNMENT – GENERAL

SB 66 Gooch – 51 **PASSED** Senate H.Energy, Utilities & Telecommunications
Streamlines the deployment of wireless broadband, 5G, in public rights of way. A very extensive and detailed bill.

HB 213 Corbett – 174 **PASSED** House S.Agriculture & Community Affairs
Georgia Hemp Farming Act. This is commercial hemp. Growers will be licensed and processors will be permitted. Both will allow GBI, Department of Agriculture, state and local law enforcement to come onto property at any time to inspect. If the hemp has higher concentrations of THC than allowed, the entire crop will be destroyed. Only three processors will be allowed in the state and each must put up \$100,000 for consideration of a permit. Colleges and universities are asked to research additional uses for hemp and how better to grow it.

GOVERNMENT – COUNTIES AND CITIES

HB 208 McCall – 33 **PASSED** House S.Regulated Industries & Utilities
A contract between a local government and a utility for services shall not exceed 20 years, currently 10 yrs.

GOVERNMENT – COURTS AND CRIMES

SB 32 Kirkpatrick – 32 **PASSED** Senate S.Judiciary
Anyone who acts in good faith and rescues or attempts to rescue an animal from a locked motor vehicle is not liable for civil damages.

HB 217 Gaines – 117 **PASSED** House S.Health & Human Services
Employees and agents of syringe Services Programs are immune from civil and criminal liability for possession, distribution, or exchange of hypodermic syringes or needles and related supplies as part of such services.

GOVERNMENT – CAPITOL AND GROUNDS

HR 1 Ralston – 7 **PASSED** House **PASSED** Senate **TGFS**

Names the new judicial building being constructed on Capitol Avenue the Nathan Deal Judicial Center. ***This building is being built on the site of the former Archives building.***

GUNS

HB 33 Lumsden – 12 **PASSED** House

Active duty service members located out of state shall have 6 months after discharge from active duty or from reassignment to this state to renew their gun carry license. Must carry military orders or written verification by commanding officer as to his/her service. ***One wonders why six months for this, when they must get their drivers license renewed within 30 days.***

HEALTH

SB 18 Kirkpatrick – 32 **PASSED** Senate H.Insurance

Direct primary care agreements between a physician and patient are not insurance.

HB 62 Cooper – 43 **PASSED** House **PASSED** Senate **TGFS**

A mammogram showing dense breast tissue will require a notice to the patient and the referring doctor as to its presence and the difficulty it presents of detecting cancer. Other tests may be required.

SB 99 Harper – 7 **PASSED** Senate H.Game, Fish & Parks

Persons applying for the issuance or renewal of a license to hunt, fish, or trap through the on-line licensing system may make an anatomical gift.

SB 106 Tillery – 19 **PASSED** Senate H.Special Committee on Access to Quality Health Care

Authorizes application for a Medicaid waiver before June 30, 2020, to serve patients with incomes up to 100% of the federal poverty level. ***Currently, in GA Medicaid serves very few adults, mostly children.***

SB 115 Unterman – 45 **PASSED** Senate H.Health & Human Services

Telemedicine licenses are required for physicians licensed in other states to engage in practicing medicine with patients in GA through telemedicine.

SB 118 Unterman – 45 **PASSED** Senate H.Science & Technology

Telemedicine is a form of Telehealth. Insurance providers shall not exclude a service for coverage solely because the service is provided through telemedicine. Nor shall the insurer require the use of telemedicine in lieu of in-person consultation or contact. Effective 1-1-20.

HB 166 Silcox – 52 **PASSED** House DO PASS in S.Health & Human Services **DV**

Genetic counselors are to be licensed.

HB 187 Dempsey – 13 **PASSED** House S.Health & Human Services

The Department of Community Health shall conduct a pilot program for treatment and management of obesity under a state health plan, such as for employees, teachers, or public school employees, for 250 persons each year. One may be eligible if each has completed a health risk assessment through a state insurance plan, has a Body Mass Index of 27 with

comorbidities or 30 without, and an agreement to enroll in a department approved wellness program during the study. ***This program is being revived.***

SR 209 Kirkpatrick – 32 NNS ADOPTED

Commends Grady Memorial Hospital for its commitment to improving the health of our community, for reducing gun violence, providing care and services to victims of violence, and making the Atlanta community a healthier and safer place to live.

REVENUE & TAXATION

SB 65 Harper – 7 PASSED Senate H.Ways & Means

The transfer of a motor vehicle title between legal entities, each at least 50% owned by the same person, is not a taxable event.

HB 85 Houston – 170 PASSED House S.Finance

A sales tax exemption to organ procurement organizations. An annual report to Department of Community Health must be submitted indicating the number of donors and transplants during the previous fiscal year.

HB 105 Watson – 172 PASSED House S.Finance

An income tax exemption for funds received for Hurricane Michael disaster relief or assistance from the U.S. Department of Agriculture in calendar years 2019, 2020, or 2021.

HB 221 Rogers – 10 PASSED House S.Finance

The GA World Congress Center limit on bonded indebtedness is increased to \$500,000,000, currently \$400 million.

TRANSPORTATION & DRIVING

HB 171 Barr – 103 PASSED House

Mounts on windshields of motor vehicles for support of wireless telecommunications devices and stand-alone electronic devices are allowed.

LOCAL – FULTON and its CITIES

HB 423 Bazemore – 63 PASSED House S.State & Local Government

A homestead exemption for the City of South Fulton municipal services which is limited to an increase of 3% or the percent of inflation from the base year, the lowest of 2016, 2017, or 2018. It does not apply to bonds or school district taxes, or county taxes. A referendum is required in November of 2019. Effective for tax years 2020 and beyond.

HB 430 Martin – 49 PASSED House S.State & Local Government

The homestead exemption for municipal services in Alpharetta for those age 65 and over shall no longer have any income restriction. Local referendum required.

HB 431 Martin – 49 PASSED House S.State & Local Government

The homestead exemption for Alpharetta for city taxes is increased to \$45,000, currently \$40,000. Referendum required.

In COMMITTEE

CHILDREN

HB 79 Gilliard – 162 DO PASS in H.Juvenile Justice

Blind persons shall not be discriminated against by the courts, Department of Human Services, or a child-placing agency in matters relating to child custody, guardianship, foster care, visitation, placement, or adoption. The purpose is to prevent children being removed from blind parents or caregivers.

EDUCATION – PREK-12

SB 60 Martin – 9 DO PASS in S.Education & Youth

High school students participating in interscholastic sports and their parents are to be provided information on sudden cardiac arrest. Parent shall sign that their student(s) have received this information. The school shall hold an informational meeting each fall. Students who pass out or faint while participating in a sport are to be removed from playing and can return only after a health care evaluation.

SB 83 Mullis – 53 DO PASS in S.Education & Youth

The following courses may be made available to high school students:

- History and Literature of the Old Testament
- History and Literature of the New Testament
- On the Hebrew Scriptures, Old Testament of the Bible
- On the New Testament of the Bible
- On the Hebrew Scriptures an the New Testament of the Bible

So much for separation of church and state.

HB 109 Benton – 31 DO PASS in H.Retirement

A revision of the Teachers Retirement System, TRS, for those who first become members as of July 1 2019. Retirement benefits will be calculated on the 5 consecutive highest earning years, currently 2 years, not to exceed \$200,000/year. This maximum is indexed to the lesser of inflation or 3%. The employee contribution rate will be 6-8.5%, determined annually by the TRS board, currently between 5% and 6%. Unused sick leave cannot be converted to retirement creditable service. Retirement can be no earlier than 60 years of age with at least 10 years of service. ***This is a non-fiscal proposal, i.e. it will not need an intersession actuarial study prior to consideration for passage. Some educators are concerned that the twice annual bump of 1.5% in benefits may be eliminated in an amendment. These increases have outstripped inflation in recent years. A recent audit found TRS to be increasingly expensive to the state and this proposal will save TRS as a defined contribution plan while reducing the rate of state expenditures.***

GOVERNMENT – GENERAL

HB 180 Caldwell – 20 DO PASS in H.Code Revision

As of January 2019, various boards, panels, authorities, centers, commissions, committees, councils, and task forces are repealed.

- *Pacific white shrimp aqua culture development
- *GA Tobacco Community Development Board
- *Delegation to the Southern Dairy Compact Commission
- *Heritage Trust Commission
- *Early Child Care Council
- *GA Southern University Herty Advanced Materials Development Center and its board
- *Private Colleges and Universities Authority
- *Education Information Steering Committee
- *Federal and State Funded Health Care Financing Programs Overview Committee
- *Commission on Men’s Health
- * Renal Dialysis Advisory Council
- *Advisory panel to Arthritis Prevention and Control Program
- *Special Advisory Commission on Mandated Health Insurance Benefits
- *GA Health Insurance Risk Pool

*GA Silver Haired Legislature

*GA Film and Television Trail

HB 376 Gilligan – 24 DO PASS in H.Special Rules

September 1 shall be a state holiday to observe Childhood Cancer Awareness Day in GA.

GOVERNMENT – COUNTIES AND CITIES

HB 76 Stephens - 164 DO PASS in H.Regulated Industries

Local counties and cities may regulate alcohol licenses as to distance that is less but not more restrictive than those in state law.

GOVERNMENT – COURTS AND CRIMES

SB 9 Jones – 22 DO PASS in S.Judiciary

Creates a felony for the crime of intentionally coercing another person over 18 to engage in sexually explicit conduct.

SB 29 Jones – 22 DO PASS in S.Special Judiciary

A sheriff, deputy sheriff, or other person from the sheriff's office shall have the same sovereign immunity as other local government employees and agents for motor vehicle claims.

SB 153 Harper – 7 DO PASS in S.Regulated Industries & Utilities

Trauma scene cleanup shall be done by practitioners who are licensed, bonded and insured. Excludes property owners cleaning up such a scene on their own property.

HB 239 Efrstration – 104 DO PASS in H.Judiciary

Enabling legislation for the creation of a Business Court approved by voters in November 2018. The court will be located in Atlanta, have a judge who is a lawyer with experience in business litigation. Provides for clerks, aides, and authority to establish a court system, details how cases can get to this court and any appeals therefrom. Effective 1-1-20.

GOVERNMENT – EMPLOYMENT

HB 279 Lumsden – 12 DO PASS in H.Public Safety & Homeland Security

Law enforcement officers appointed by the Commissioner of Department of Revenue as a special agent or enforcement officer may use a departmental vehicle while working an off-duty job which requires police powers, have been approved by the commissioner, and have been determined to further the department's mission and service to the state. The vehicle cannot be used at any political function.

GOVERNMENT – ENVIRONMENT

HB 220 Rogers – 10 DO PASS in H.Natural Resources & Environment

The tire disposal fee sunset date is extended to June 2024, currently July 2019.

HEALTH

HB 198 Hatchett – 150 DO PASS in H.Special Committee on Access o Quality Health Care

Eliminates the Certificate of Need, CON, for all health care facilities except for some long-term care facilities and services and instead licenses those facilities. Hospitals must post specific information on their web sites, such as financial status, IRS Form 990, all property up to \$100 million, salary of the highest 10 paid employees, evidence of accreditation and policies regarding services to the indigent, among them. ***This bill is 83 pages.***

HB 374 LaHood – 175 DO PASS in H.Health & Human Services

An aide in an assisted living community with a certificate in good standing may administer any oral, ophthalmic, topical, otic, nasal, vaginal, or rectal medication upon a hospice physician’s order to a patient in hospice. The initial dose is to be administered by a RN.

REVENUE & TAXATION

SB 119 Albers - 56 DO PASS in S. Finance

An economic analysis issued by the state auditor shall be required for any bill that provides any tax incentive or extends an existing tax incentive, defined as an exemption, exclusion or deduction. The analysis shall be an estimate for 10 years of the net effect on the net change in state revenue, state expenditures, economic activity, public benefits. The analysis must be attached to the bill for any further action in the General Assembly or for it to take effect, if passed.

HB 168 Taylor of 173 DO PASS in H.Ways & Means

A sales tax exemption to volunteer nonprofit health centers should be extended for five additional years.

HB 183 Harrell – 116 **PASSED** House DO PASS in S.Finance

Any taxpayer who fails to file a property tax return or one whose return was returned shall have appeal rights.

HB 314 Stephens – 164 DO PASS in H.Ways & Means

Provides for titling of watercraft to use GA waters except vessels owned by the federal government. Owner shall present a bill of sale to demonstrate that the sales tax has been paid.

HB 365 Blackmon – 146 DO PASS in H.Ways & Means

The fair market value of a used motor vehicle used for alternative motor vehicle tax shall be the retail price paid. The combined rate for state and local tax shall not exceed 6.6% of fair market value from July 2019 through June 2023, currently 7%. Motor vehicles model years 1963 through 1989, currently 1985, shall be taxed at .5%.

TRANSPORTATION & DRIVING

SR 133 Beach – 21 **NNS** DO PASS in S.Science & Technology

Urges the Atlanta Regional Transit Link, “ATL”, Authority to prioritize and encourage the use of technological innovation and the development of intelligent transportation systems. Some suggestions: if transit can cut commute times there may be fewer vehicles on the road, use of technology to give the transit vehicle traffic signal priority, queue jumper lanes for buses to bypass lines of traffic and move to the front of the traffic for an early green light, and far side bus stops rather than in an approach to the intersection.

LOCAL – FULTON and its CITIES

HB 131 Corbett – 174 DO PASS in H.Motor Vehicles

A special license tag will be available to support the Georgia Aquarium.

#####

Sally FitzGerald, Capitol Observer

sallyfitz@bellsouth.net

League of Women Voters – Atlanta/Fulton

www.lwvaf.org

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