

23 March 2012

LWVAF, Report from the Capitol, Week 10

This week the General Assembly completed Days 34 through 37. Next week will complete the session, when they will meet on Monday, Tuesday, and sine die on Thursday.

The only requirement of any General Assembly is to pass a budget. The mid year budget has been passed and signed. The FY 13 budget is in conference committee and the conference report will probably be handled on Day 40. The state is still not flush with funds, so much of the disagreement is about which side of the ship to place the deck chairs.

The tax reform bill which had laid fallow since last April appeared suddenly in another form on Monday, HB 386. It passed out of committee on Tuesday morning, was on the House floor Tuesday afternoon, passed, and the Senate passed it on Thursday. Both votes were nearly unanimous. It does make changes but in this observer's opinion it is not reform. In essence it cuts state revenues \$68 million and provides no expansion of taxable entities to capture any additional revenue if the economy begins to bubble again.

Lots of bills are getting out of committee, so many that they are not reported here to keep this report to a reasonable length. 'Code Shopping', the process by which bills that do not have as good a chance of passing on their own are being amended to other bills which do. Both bills must be in the same code section, hence the name.

This observer suggests that the reader might expect the legislation to be passed will probably not be of a nature that League of Women Voters would suggest. There are bills awaiting debate to expand the carrying of guns to any and all places any time, to require applicants for tax funded services to undergo a drug test, to prevent a woman from getting an abortion after 20 weeks without regard to medical need or anything else, to fund and promote state charter schools while continuing a decade long effort to defund traditional schools.

Constitutional amendments which have passed and will be on the November ballot have not as yet been numerous. The state charter schools amendment is a go, but several others seem not to be moving.

There will be two post session reports. One next week when a report on what was observed can be sent out and another the following week when the updated reports will be ready for public access. The governor will have 40 days to sign, veto, or let a bill become law without signature. That date is May 9.

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 2012.

DV = Differing Versions

TGFS = To Governor for Signature

In CHAMBERS

BUDGET

HB 742, Ralston – 7 **PASSED** House **PASSED** Senate **DV**
FY13 budget. Most agencies took a 2% cut.

EDUCATION

SB 101, Stone – 23 PASSED Senate PASSED House TGFS

Each local board of education and election superintendent may develop and implement a Student Teen Election Participant, STEP, program to permit full time high school students to volunteer to work as poll workers. The student shall be a U.S. citizen, have a GA drivers license or state-issued ID card, have demonstrated age-appropriate academic ability in the previous school year, and have a history of responsible school and community behavior. Parent permission required. May work at least four hours but not more than six and shall receive training. Student shall be considered ‘present’ for the school day. Student limited to two school days for participation. Mutual rules and regulations shall be adopted. *Currently, any teen age 16 may work in a poll at the option of the election superintendent. The law does not currently allow the student’s absence from school to be considered ‘present’.*

HB 181, Golick – 34 OPPOSE PASSED House PASSED Senate DV

State Board of Education may waive for one year the requirement for special need voucher recipients with severe medical conditions to be public school students for one year before applying for the voucher. SBOE must report annually for three years how many waivers of this type are requested and if granted. Voucher must be paid out in four equal installments. Payments not to exceed what is paid for public school students in the same program. *LWV OPPOSES any voucher. The purpose of being in the public school was to establish the Individual Education Plan and the amount of state money earned by that student as it became the amount of the voucher. Currently, voucher students receive several hundred dollars more than students in the same program who stay in public schools as the grant was not reduced by a per capita share of the austerity cut or the per capita share of the local funding amount deducted from the state appropriations to the resident local school system. Currently, there are about 2500 students in 190 schools using the voucher.*

HB 208, Coleman – 97 PASSED House PASSED Senate TGFS

As of 7-1-13, retired educators cannot be rehired for 100% of the time. *They can still be hired for a 49% position. Currently, the sunset date is 2016.*

SB 227, Loudermilk – 52 PASSED Senate PASSED House DV

The military compact bill which has been softened so that the state is not taking orders from the compact but is cooperating with the compact in treating students moving into the state from military families with special care. *Perhaps we can treat any student moving into the state with such care and attention. This bill had its original language stripped out about home study student attendance records being submitted directly to DOE so the military compact bill could be inserted therein.*

HB 297, Maxwell – 17 PASSED House PASSED Senate TGFS

Public retirement systems shall not purchase life insurance on its members except where all benefits are paid to the member’s estate or designated beneficiary. The retirement system cannot be the beneficiary of such insurance. *Includes TRS and ERS which cover school district personnel.*

SB 412, Millar – 40 PASSED Senate PASSED House TGFS

Delays until 2015 the implementation of changing DeKalb’s Board of Education to seven members from the current nine. *Last year, SB 79 was passed as a general bill and it was three local bills – one affecting Chatham County, one for Atlanta Public Schools, and one required DeKalb’s school board to be reduced to seven members each with a geographical district. Doing that by the required timeline would cause board members to be removed from office before the end of their term, generally not allowed by the courts. Thus, the need to delay the implementation.*

HR 1162, Jones – 46 **OPPOSE** NNS **PASSED** House **PASSED** Senate

CA to allow state legislature to determine policy for local boards of education including which charter schools to approve. The proposed language amends the clause that says public education for the citizens prior to the college or postsecondary level shall be free and shall be provided for by taxation, “and the General Assembly may by general law provide for the establishment of education policies for such public education.” To the clause defining the local school board having the power to manage and control local schools is added “provided, however, that the authority provided for in this paragraph shall not diminish any authority of the General Assembly otherwise granted under this article, including the authority to establish special schools” Further, “Special schools shall include charter schools, as defined and provided for by law, provided however, that special schools shall only be public schools.” The local board of education may call a referendum to provide funds to state chartered special schools. *The General Assembly seems intent on creating another set of schools not overseen by the local boards of education, and paying for them, when it cannot pay for the schools it has. It has since 2003 taken \$5.5 Billion from the QBE formula, and seems very dismayed that local school boards do not want to spend more to create schools that take away their students and do not offer any better, and in many cases a worse, education than provided by the locally elected school board. The enabling legislation provides for a ‘charter school commission’ type of authorizer. Funding would be, in addition to the regular QBE funds, a separate appropriation by the legislature. While the language in the constitutional amendment indicates money will not be taken from the local school board’s QBE allotment, it does not promise that it will not negatively impact current schools. There is only one pot of money to be parceled out. With no revenue growth, if one entity is promised funding, some other entity’s budget must be cut.*

GOVERNMENT

HB 93, Taylor – 79 **PASSED** House **PASSED** Senate **TGFS**

Code inspectors are changed to code enforcement officers with the same duties and authority. Allows for contracted services for these functions as is currently done by several new cities in Fulton and DeKalb.

HB 183, Maxwell – 17 **PASSED** House **PASSED** Senate **TGFS**

Requires General Assembly members elected after July 1, 2012 to become members of the Georgia Legislative Retirement System. Existing legislators not already pension fund members may each make an irrevocable election to join.

HB 514, Kidd – 141 **PASSED** House **PASSED** Senate **TGFS**

Tasting of hard liquor is allowed in breweries. Amounts up to one half ounce.

LOCAL

HB 398, Fludd - 66 **PASSED** House

FCBOE, make corrections to pension and retirement legislation.

HB 877, Jones – 46 **PASSED** House **PASSED** Senate **TGFS**

Redistricts the Fulton County Board of Education.

HB 1291, Wilkinson – 52 **PASSED** House

Sandy Springs charter revisions.

REVENUE/TAXATION

HB 386, Channell – 116 PASSED House PASSED Senate TGFS

- * the marriage penalty has been removed from the income tax.
- * a title fee of 6.5%, initially, will be imposed on any new or used car sale. Increases to 6.75% in year 2 and 7% in all years thereafter. No more license renewal taxes. License fees remain.
- * Sales tax for energy has been removed for business but not residences.
- * Internet sales will have the sales tax collected by the seller if there is any GA affiliation.
- * Reinststitutes the sales tax holidays for the next two years and the energy efficient appliance sales.
- * senior income tax exclusion is capped at \$65,000 each, or \$130,000 per couple.
- * agriculture exemptions are combined and simplified.
- * eliminates the sales tax exemption for film productions. Retains the income tax credit.
- * any airline at any Georgia airport will have to pay only 3% sales tax on jet fuel.

It does not contain a reimposition of sales tax on food. It does contain new measures and will affect most taxpayers.

HB 811, Powell – 171 PASSED House PASSED Senate DV

Required fees for specific purposes shall be automatically reduced if the appropriations for such purposes are less than what was actually collected the previous calendar year. To be phased in until FY20 when appropriations must be at least 95% of the collected amount. Specified fees include solid waste disposal, tire disposal, peace officer and prosecutor training, indigent criminal defense, and drivers education and training. *Senate:* removes indigent criminal defense funds because HR 977 which addresses this fund is in the Senate. ***Currently, \$46 million in specified funds have been used for general fund purposes rather than for the designated purposes in recent years. This proposed mechanism would significantly limit such shenanigans. Effective date is when the state revenue shortfall reserve (the rainy day fund) is at \$1.5 Billion. Currently it is at \$350 million.***

#####

Sally FitzGerald, Observer

sallyfitz@bellsouth.net

League of Women Voters – Atlanta/Fulton

www.lwvaf.org

LWVAF.12.Wk10.23Mar