

UNDER THE GOLD DOME

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Nonpartisan News from the Georgia Capitol

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Sine Die

As it stands at this writing, the Georgia General Assembly will *Sine Die* this Friday, April 3. *Sine Die* is the final adjournment of a legislative session, technically, without fixing a day for reconvening; literally "adjournment without a day." The Georgia Legislature, however, actually does reconvene each year on the second Monday of January.

Even though about 2,000 pieces of legislation are introduced in the course of the biennium, other than the budget, only about 10% or 200 will actually become law. The only thing constitutionally required of the Georgia legislature is to pass a budget before *Sine Die*. In this coming week, we will witness the last minute whirlwind where legislation, which may have been considered "dead," can be attached to another bill, and either remain "alive" with passage of that bill, or finally fail, often dragging with it legislation which may have otherwise passed.

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SPOTLIGHT

Another Look at Transportation

This past week, a compromise was reached on [SB 200](#) (Williams – 19th), the bill that would restructure the Georgia Department of Transportation. This bill, which passed out of the House Transportation Committee on Friday, would create the Division of Planning, which would be headed by a gubernatorial appointee. The Division will be responsible for coming up with a statewide transportation plan and transportation improvement projects. Once approved by the Governor and the State Transportation Board, the list will then be subject to the appropriations of the General Assembly. If approved, this would give the Legislature new authority over more than \$2 billion in spending. Up to \$400 million, or 20 percent of that money could be earmarked for special transportation projects selected by lawmakers. This amounts to approximately \$1.7 million for each of the 236 lawmakers. The bill would also reduce the DOT board's authority over the DOT staff, beyond the appointment of a commissioner.

Additionally, the House voted to approve a compromise version of [HR 206](#) (CA) and [HB 277](#) (Smith – 129th), which would allow voters to decide on a statewide 1 percent sales tax to generate \$25 billion to fund transportation projects over the next 10 years. The amended version of the legislative package provides that if the statewide referendum fails, then counties would be authorized to implement a regional sales tax, which matches the Senate's preferred approach. But the Senate rejected that compromise on Thursday, meaning that a conference committee must work out a final agreement before April 3, or the legislature's chance to come up with a transportation funding solution in this session will be lost.

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Thanks to LWV members, Sally Fitzgerald and Nancy Wylie, for assistance monitoring legislation.

TAXES

[SB 83](#) (Rogers – 21st) A referendum which increases the state-wide homestead exemption from all ad valorem taxation for state, county, and school purposes from \$2,000.00 to \$4,000.00 for 2009, and starting in 2010, increases that amount annually by a percentage equal to the cost-of-living index. **PASSED SENATE, FAILED HOUSE**

[HB 233](#) (Lindsey – 54th) A two year property tax assessment cap for all property which does not require a referendum. Property can be increased from the current assessed value by 3% per year. Any additions or improvements to the property are added to the capped current assessed value. There is no resetting of property values to fair market value upon sale. Property values can go down if the fair market value decreases with no limit.

PASSED HOUSE & SENATE

[HB 181](#) (Austin – 10th) Sales taxes not property identified as to taxing district from which they are collected are distributed by the Revenue Commissioner to local entities within the county by a specified formula. Local sales taxes are identified on the transmittal the vendor submits. **PASSED HOUSE & SENATE**

ENVIRONMENT

[SB 155](#) (Pearson – 51st) Removes 25-foot buffer protection on ephemeral streams throughout Georgia, affecting all headwater streams. **PASSED SENATE & HOUSE**

[HB 248](#) (Barnard – 168th) Voluntary Remediation Program. Allows hazardous waste sites that meet specific criteria to voluntarily design their own remediation and cleanup. EPD reviews the plan. **PASSED HOUSE & SENATE**

[HB 552](#) (Barnard – 166th) would extend the moratorium on aquifer storage and recovery. It would prevent injecting treated wastewater into the Floridan aquifer in Southeast Georgia. The current moratorium expires this year.

PASSED HOUSE & SENATE

HEALTHCARE

[HB 228](#) (Butler – 18th) Abolishes the Department of Human Resources (DHR). Establishes the Departments of Health, Human Services, and Behavioral Health. Reassigns various functions of the DHR and the Department of Community Health to the three new departments. **GOES TO CONFERENCE COMMITTEE**

[SB 165](#) (Goggans – 7th) Authorizes the Department of Community Health to obtain income eligibility verification from the Department of Revenue for Medicaid and PeachCare for Kids applicants. **PASSED SENATE & HOUSE**

PUBLIC SAFETY

[HB 160](#) (Cole – 125th) Increases penalties for speeders and for restoration of all drivers licenses after suspension. The fine is increased \$200 for going 85 mph or more on the interstate or 75 mph or more on a two-lane road.

PASSED HOUSE & SENATE

[HB 71](#) (Day – 163rd) If manufacturing, selling, or distributing false identification documents, it can no longer be a defense to a violation if the word “novelty” appears on the document. **PASSED HOUSE & SENATE**

[SB 67](#) (Murphy – 27th) All written and oral drivers license examinations shall be administered only in the English language; except for persons eligible for a temporary license. **PASSED SENATE**

EDUCATION/CHILDREN

[SB 69](#) (Unterman – 45th) Expands the definition of “sexual exploitation to include any person who allows or requires a child to engage in prostitution or sexually explicit conduct to produce any visual or print medium.

PASSED SENATE & HOUSE

ETHICS /GOVERNMENT/JUSTICE

[SB 13](#) (Smith – 52nd) Provides for the imposition of life without parole of persons convicted of murder independently of a death penalty prosecution and life without parole may be imposed without the necessity of the trier of fact making a recommendation of such sentence or finding statutory aggravating circumstances. **PASSED SENATE & HOUSE**

[SB 14](#) (Douglas – 17th) Anyone listed on the National Sex Offender Registry or state sex offender registry is not eligible to be a candidate for or serve as a local board of education member. **PASSED SENATE & HOUSE**

[HB 227](#) (Dempsey – 13th) Any Georgia elector who has obtained a restraining order or protective order or who lives in a family violence shelter can request that the county board of registrars keep the elector’s address confidential for four years. **PASSED HOUSE & SENATE**

KEY

HB- House Bill (legislation that originates in the House) HR- House Resolution
SB- Senate Bill (legislation that originates in the Senate) SR- Senate Resolution CA-Constitutional Amendment
Next to each bill, the sponsor of the bill is named and their district number is indicated