

Final wrap-up of 2011 Georgia legislative session

By Rep. Debbie Buckner

The 2011 legislative session of the Georgia General Assembly convened Jan. 10, the same day the new Governor, Nathan Deal, was inaugurated. Between then and final adjournment April 14, economic issues – as expected – dominated the agenda at the Capitol.

State Budget: An \$18.3 billion state budget plan was approved for fiscal year 2012, which begins July 1. HB 78 reduces Medicaid reimbursement rates for physicians by 0.5 percent and incorporates a 20 percent increase in health insurance premiums for educators and other state employees in response to a \$273 million deficit in the State Health Benefits Plan. HB 78 now goes to the Governor, who can sign or veto the entire budget or individual line-item appropriations. Lawmakers also agreed on HB 77, the midyear adjustment to the \$18 billion state budget for fiscal year 2011, which ends June 30. The budget amendment reflects an overall reduction of about \$300 million in state spending.

Tax Reform Fails: Legislation that would have implemented only a few of the recommendations submitted by a special tax reform council appointed last year failed to reach either the House of Representatives or Senate floor for a vote before the end of the session. HB 388 is being held over for further analysis before the 2012 session to determine whether the bill would actually be a tax increase or a tax decrease for most Georgians, as well as its impact on overall revenues. In the version of the measure that came out of the Special Joint Committee on Georgia Revenue Structure, the state income tax rate would have been reduced from 6 percent to 4.6 percent in fiscal year 2012 and to 4.55 percent in fiscal year 2013. Sales tax would have been exempted on the energy costs of manufacturing firms, but new taxes would have been imposed on auto repair service, person-to-person vehicle and boat sales and telecommunications services, including satellite TV subscriptions.

HOPE Scholarship Changes: The Governor has already signed into law changes to the HOPE Scholarship program to help offset its financial deficit caused by college tuition increasing faster than Lottery revenues. Most HOPE recipients will see their benefits reduced to 90 percent of their tuition costs under HB 326. That percentage would increase or decrease in future years based on the rise or fall of Lottery proceeds. Students who come out of high school with a 3.7 grade point average (GPA) and at least a 1,200 Scholastic Aptitude Test score and are able to maintain a 3.3 GPA in college will retain a full HOPE Scholarship for tuition. Other changes include a low-interest loan program for students who need more financial aid, reduced sales commissions for Lottery retailers and limits on salary bonuses for Lottery employees and the extension of full HOPE Scholarships for the top two graduates from each high school in the state.

Full-day Pre-K: Responding to the voices of educators, parents and lawmakers from across the state, Gov. Deal reversed course on his proposal to reduce the instruction day for Georgia's pre-kindergarten program from 6.5 hours to 4 hours. His new proposal, which became part of the 2012 state budget bill, restores the full-day program and instead shortens the Pre-K year from 180 days to 160. He also cut back on his original proposal to add 5,000 slots to Pre-K enrollment, instead recommending 2,000 new slots.

Water and the Environment: Approved were HB 274, which would allow lawn clippings to be put in landfills and renewing the \$1 per tire disposal fee; SB 122, which would allow private developers to build reservoirs and other water infrastructure projects for local governments and water utilities; and HB 179, which would allow the removal of trees adjacent to billboards on state rights-of-way along Georgia roads. Both houses also passed resolutions urging the state Department of Natural Resources and other entities to conduct a feasibility study for the withdrawal, storage and distribution of water from the Tennessee River Basin to enhance Georgia's water supply. HB 111, my proposal to regulate inter-basin water transfers, was held in committee.

Immigration Issues: If signed into law by Gov. Deal, HB 87 would require all businesses with at least 10 employees to use the federal government's E-Verify system to determine the work eligibility of all new hires. Similar to an Arizona law enacted last year, local and state police would be empowered to detain people while their immigration status is checked. Opponents said enactment of HB 87 would impose an unfunded mandate on local law enforcement agencies, bog down many small businesses with red tape and hurt Georgia's economy, especially the agriculture and tourism industries. Failing to pass were HB 59, which would prohibit illegal immigrants from attending Georgia's public colleges and universities; HB 72, which would require Georgia driver's license examinations to be administered only in English; and SB 162, which would make driving under the influence a felony offense if the driver is an illegal immigrant.

Sunday Sales: Majorities in both houses approved legislation that would authorize the Sunday package sale of alcoholic beverages in communities where voters approve such sales in a referendum. Under SB 10, referendums on Sunday package sales of beer, wine or liquor could be held in cities and counties where those products are legally sold the rest of the week. Under the bill, Sunday sales would be limited to the hours of 12:30 to 11:30 p.m. County commissioners or city council members in each community would have to take action to call for the referendum, the date for which would be set by the Election Superintendent in accordance with current law. SB 10 awaits the Governor's signature.

Health Care: Lawmakers voted to authorize insurers to sell health insurance policies in Georgia that have been approved in other states by passing HB 47. Also passing were HB 117, which would generate \$115 million for the state's Medicaid program by drawing down matching federal funds; HB 147, which would give patients the right to inquire as to whether a physician carries medical malpractice insurance; HB 303, which would authorize physician assistants to sign off on certain documents relating to health care currently requiring a physician's signature, except for death certificates and assigning the percentage of disability ratings for workers' compensation; and HB 461, which authorizes Georgia to join

with other states in a health care compact. Failing to pass was SB 210, which would make it easier for lawsuits to be filed against physicians who perform abortions.

Public Safety: Lawmakers approved legislation that would establish an electronic database to monitor the dispensing of prescription pain killers that include controlled substances. Also passing were HB 40, which I co-sponsored and would require engine coolant or antifreeze sold in Georgia and containing more than 10 percent ethylene glycol to include denatonium benzoate as a bitter tasting agent to make it unpalatable; SB 88, which would require the use of a child booster seat up to age 8, with an exemption for children who are taller than 4 feet, 9 inches ; and HB 199, which would add certain chemicals used to manufacture bath salts to the state's list of controlled substances. Failing to pass was SB 102, which would allow guns to be carried into churches and some areas of airports, practices that are currently prohibited.

Law and Order: Lawmakers approved legislation that would increase criminal penalties for those guilty of trafficking young women for sex. HB 200 proposes a minimum prison sentence of 10 to 20 years and/or a fine of up to \$100,000. If the victim is under 18 years old and is found to have been coerced or deceived into being trafficked, the prison sentence would be increased to between 25 and 50 years. Also approved was legislation to create the Special Council on Criminal Justice Reform for Georgians. The intent of this bill, HB 265, is to find solutions that will allow the state to ensure public safety while decreasing the cost of our corrections system.

Sports and Recreation: Agreement was reached on legislation that would change Georgia's hunting laws and remove the prohibition against feeding or baiting when hunting deer or feral hogs. HB 277 would enhance the management of game in Georgia, attempts to control the feral hog population and provides for both economic development and public safety. Failing to pass was HR 186, a proposed change in the Constitution to allow pari-mutuel wagering on horse racing to promote tourism in Georgia and boost state revenues.

Reapportionment: As it does every decade, the state will redraw its district boundaries for the state House and Senate as well as our seats in the U.S. House of Representatives, based on the population data reported by the 2010 Census. Georgia will pick up one additional congressional seat for a total of 14. The new legislative and congressional districts will be finalized during a special session, which the Governor has announced will begin Aug. 15, and will be in place for the 2012 election.

I would like to thank this newspaper for allowing me to share these legislative reports with you on a regular basis during the session. I encourage you to write or phone me to discuss any of the legislation I voted on. Please continue to share your views on the issues and contact me directly whenever I can be of service.

- *State Rep. Debbie Buckner (D-Junction City) represents the 130th District (Harris, Muscogee and Talbot counties) in the Georgia House of Representatives. Contact her at 511 Coverdell*

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