

2001 SESSION OF THE GEORGIA GENERAL ASSEMBLY
Final Legislative Report

Association County Commissioners of Georgia
April 11, 2001

This is the final status on all bills of county interest that appeared during the 2001 legislative session. In this issue, we report on all bills that passed with their effective dates, and show you all bills that are carried over for consideration next year. During the 2001 legislative session, 2538 bills and resolutions were introduced and considered. Of those, more than 517 bills and resolutions had a potential impact on county government. Bills are arranged by policy area starting with bills and resolutions that passed, followed by bills and resolutions which will be carried over for consideration next session, followed by appropriations highlights.

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BILLS AND RESOLUTIONS PASSED

ECONOMIC DEVELOPMENT & TRANSPORTATION
[Staff: Althea McCoy]

HB 152 Industrial Loans (Rep. Johnny Floyd)

This legislation changes the loan fees and late fees for industrial loans and increases the monthly maintenance charge. At the time a loan is made, a licensee may charge, contract for, receive or collect a fee up to 8% of the first \$600 of the amount of the contract plus 4% of the excess. A licensee may charge and collect a late fee of \$10.00 or 5 cents for each \$1.00 of any installment which is not paid within five days after the payment's due date, whichever is greater. Finally, the legislation increases the monthly maintenance charge from \$2.00 to \$3.00 on each loan made.

Status: Effective upon signature of the Governor

HB 253 Motor Vehicle Registration (Rep. Alan Powell)

This bill amends the following provisions relating to the registration, licensing and titling of motor vehicles: 1) The month of the expiration date for certain temporary license plates may be indicated by a

three-letter abbreviation or the complete word. The original legislation prohibited the use of abbreviations or numerals to indicate the expiration month. 2) The county tag agent can revise and extend the expiration date of a temporary plate only if the purchaser has received an extension for the initial registration period as provided by official code. 3) Upon rule or regulation by the Commissioner of the Department of Revenue, the county tag agent may grant a 30-day extension of the initial registration period to a purchaser or other transferee owner if the transferor has not provided the purchaser with the title to the motor vehicle more than five business days prior to the expiration of the initial registration period. 4) Motor vehicle records consisting of vehicle description, title status, title brands, last recorded mileage, recorded liens, or recorded security interests, which the Commissioner or his authorized county tag agent is required to maintain, shall be provided to any person upon payment of a reasonable fee, for any purpose not prohibited by law. The rationale is to assist potential purchasers in making informed decisions. However, personal information of any registrant, including name, address, date of birth, or driver's license or social security number, cannot be furnished or provided to unauthorized persons. 5) County tag agents must submit tag reports of processed license applications and remit related sums of money to the Commissioner of the Department of Revenue within seven (7) - rather than 14 - calendar days from the close of the business week during which the license applications were processed and money received.

Status: Effective upon signature of the Governor

HB 317 Amend Housing and Finance Authority Act (Rep. Tom Shanahan)

HB 317 amends the Georgia Housing and Finance Authority Act by making a business engaged in tourism and commercial or retail sales or services eligible for financing under the Act. The bill also grants additional power to the Authority to enhance and facilitate community development throughout the state, using a variety of financial and technical assistance means.

Status: Effective July 1, 2001

HB 345 Designated Truck Usage Lanes on Multilane Highways (Rep. Ralph Twiggs)

On interstate highways with four or more lanes of traffic in the same direction, trucks (with more than six wheels) can only travel in specified truck usage lanes as designated with signs provided by the DOT.

Status: Effective July 1, 2001

HB 409 Tax Increment Financing (Rep. Doug Teper)

This legislation broadens the use of Tax Increment Financing as an economic redevelopment tool by: 1) expanding the definition of redevelopment area to include economically and socially depressed nonurban areas within counties and municipalities; and 2) broadening the permissible uses of TIF to include open space and green space preservation, transit and transit area developments, telecommunication infrastructure, and pedestrian improvements.

Status: Effective July 1, 2001

HB 607 Amend BEST: Existing Business Expansion (Rep. Curtis Jenkins)

HB 607 allows existing businesses going through a qualified business expansion - whereby the business creates at least 500 new full-time jobs - to apply to the Commissioner of the Department of Revenue for job tax credits. The bill was also amended to address tax deductions for payments to minority subcontractors by defining minority subcontractor to include individuals who are Black, Hispanic, Asian-Pacific American, Native American, or Asian-Indian American.

Status: Effective April 4, 2001; Section 3 effective January 1, 2002

HR 514 Tourism Study Committee (Rep. Butch Parrish)

HR 514 creates a five-member study committee charged with evaluating tourism in Georgia and determining ways to better promote the state as a tourist destination and to attract conventions and trade shows.

Status: Effective upon signature of the Governor

SB 11 Business Development Corporations (Sen. Steve Thompson)

SB 11 amends the powers of business development corporations by allowing the corporation to incur secondary liability if it has a substantial interest in the performance of the transaction. The legislation also extends the powers of such corporations to commercial, residential and historical real property and projects.

Finally, business development corporations are authorized to acquire real estate to construct residential buildings, industrial plants and parks or business establishments, and they can sell the real estate to other entities for similar purposes.

Status: Effective July 1, 2001

SB 40 Developmental Highway System (Sen. Van Streat)

This bill, as amended, adds the following roadways to the Developmental Highway System, which is also referred to as the Governor's Road Improvement Program: SR 133 from Albany to Valdosta; SR 40 from Folkston to St. Mary's; SR 125 from Fitzgerald to I-75; SR 32; Power Alley, U.S. 280 from Columbus to Savannah; and SR 125 from its intersection with SR 10 in Ben Hill County (Fitzgerald Bypass) to its intersection with SR 32 in Irwin County.

Status: Effective July 1, 2001

SB 97 Wildflower License Plates (Sen. Rooney Bowen)

SB 97 authorizes the Department of Transportation to promote and sale wildflower motor vehicle license plates and to develop fund raising or other promotional techniques deemed appropriate by the department. The funds generated from the sale of wildflower license plates will go to the DOT for deposit into the Roadside Enhancement and Beautification Fund to promote the conservation of wildflowers and perform other enhancement projects. County tag offices will receive a \$1.00 processing fee for each plate sold.

Status: Effective July 1, 2001

SB 134 State Road and Tollway Authority (Sen. Steve Thompson)

SB 134 renames the State Tollway Authority to the State Road and Tollway Authority, which will be authorized to receive a portion of federal TEA-21 funds and to contract with DOT in constructing all or parts of the Developmental Highway System. This legislation is intended to expedite the completion of the Governor's Road Improvement Program (GRIP) in that the State Road and Tollway Authority can issue Grant Anticipation Revenue Vehicles (GARVEE bonds) for increased funding of GRIP. A portion of Georgia's future share of federal TEA-21 funds will be designated as debt service for the bonds. While it would take 17-22 years to complete GRIP under the current funding level, SB 134 and the subsequent issuance of GARVEE bonds could complete the program within seven (7) years.

Status: Effective upon signature of the Governor

GENERAL COUNTY GOVERNMENT

[Staff: Jim Grubiak & Kelly Pridgen]

HB 65 Open Records: Personal Information of School Employees (Rep. Tom Murphy)

This bill expands the current open records provision which exempts home addresses, home telephone numbers, and social security numbers of law enforcement officers, judges and correctional employees to include public school teachers and employees.

Status: Effective upon signature of the Governor

HB 87 Contracts with Nonprofit Organizations (Rep. Bob Irvin)

HB 87 expressly authorizes counties and cities to contract with private nonprofit charitable organizations that are exempt from federal taxation under Section 501 (c)(3) of the Internal Revenue Code for the purpose of promoting economic development, tourism, agribusiness, and the general welfare of the county. Current law authorizes such contracts only with 501 (c)(6) nonprofit business organizations like chambers of commerce.

Status: Effective upon signature of the Governor

HB 110 Election Law Revisions (Rep. Bob Holmes)

The key provisions of HB 110 are as follows: (1) If a candidate pays his or her qualifying fee with a check that is returned for insufficient funds, the superintendent would automatically find that the candidate has not met the qualifications for holding office, unless the financial institution certifies in writing that they erred in returning the check; (2) Authorizes the Secretary of State to investigate complaints of fraud and irregularities in primaries and elections and to report violations either to the Attorney General or the

appropriate district attorney who shall be responsible for further investigation and prosecution; (3) If the Governor declares that a state of emergency or disaster exists, the Secretary of State would be authorized to postpone or extend the qualifying periods for the qualification of candidates seeking municipal, county, or statewide office and to postpone the date of the election in the affected area. Such postponement or extension would have to be "reasonable" and could not exceed 45 days; (4) Requires that the municipal election superintendent must be selected by the governing authority of the city in a public meeting, with such selection recorded in the minutes of such meeting; (5) Requires that a write-in candidate must file notice of his or her candidacy no later than seven days after the close of the municipal qualifying period for municipal elections; (6) Removes the current requirement that municipal registrars must be electors in the county or municipality in which they are appointed by requiring that such officials be registered Georgia voters; (7) Extends the period a citizen has to notify the board of registrars of a new address within the county or city from 30 days prior to the primary or election in which the citizen wishes to vote to the fifth Monday prior to the primary or election, and, if the citizen is moving to a new county, and the citizen fills out the registration application at a polling place, the registrar is required to forward the application to the registrar in the new county of residence; (8) Provides that candidates in a nonpartisan primary be listed on the ballot alphabetically by last name with incumbency indicated on the ballot; (9) Specifies that the election superintendent provide ballots equal to the number of active registered voters instead of just registered voters as current law provides; (10) Provides that the superintendent may print on the ballot the address of candidates with the same or substantially the same name; (11) Expands testing requirements for tabulating machines so as to include tests for improperly marked ballots; (12) Authorizes a municipality to appoint an absentee ballot clerk; (13) Deletes hunting and fishing licenses as a means of identification at a polling place for voting as well as absentee voting; (14) Revises the time for challenging absentee electors from prior to closing of the polls to 12:00 noon on the day of the primary or election; (15) Revises the procedure for filling vacancies in a General Assembly seat; (16) provides that any person or entity including a manufacturer of voting machines who alters, modifies, or changes any aspect of the equipment without prior approval of the Secretary of State would be guilty of a felony; (17) Revises the standard for recalling state officers; and (18) provides that the number of sponsors needed for initiating a recall action shall be 100 or 10% of the electors registered to vote in the previous primary or general election whichever is less rather than in the previous general election as currently provided in law.

Status: Effective upon signature of the Governor

HB 158 Open Records: Exemption for Autopsy Photos / Hospital Records (Rep. Jack Connell)

This bill prohibits any hospital from releasing autopsy photos or images without written permission of the family. In addition, the bill amends the current open records law which allows hospital authorities to keep potentially commercially valuable plans, proposals or strategies confidential by expanding the confidentiality exception to nonprofit hospital corporations doing business for the benefit of a governmental entity.

Status: Effective upon signature of the Governor

HB 292 Application for Search Warrants by Video Conference (Rep. Doug Teper)

HB 292 permits judges to authorize search warrants after holding a hearing by video conference, rather than in person. This will allow law enforcement officers to obtain search warrants while remaining in the field.

Status: Effective July 1, 2001

HB 302 County Officer Salaries/Commissioners Training Supplement and COLA (Rep. Terry Coleman)

This legislation addresses compensation for several county elected and appointed officials: (1) It provides a supplement of \$100 per month for any county commissioners who earns a certified county commissioner certificate from the Carl Vinson Institute of Government; (2) It provides county commissioners the same annual cost of living increase provided to other county officers. The COLA is applied to compensation established by local legislation or pursuant to the new home rule authority; (3) This bill updates the base salary schedules and supplements for sheriffs, clerks of superior courts, probate judges and tax commissioners paid according to state statute by incorporating past COLAs and providing a 10% increase. This is the first increase, other than COLA, in the base salaries of the county officers since the early 1990s; (4) HB 302 updates magistrate salaries to the same level as the probate judges, including the 10% increase.

The procedure for calculating magistrate salaries was also amended to be more consistent with the process used to figure minimum salaries of the constitutional officers. Additionally, the bill requires magistrates to regularly exercise the powers of a magistrate judge 40 hours per week in order to receive the salary of a full time magistrate. Finally, the base salary of magistrate judges will be subject to increases if the county changes population categories according to the 2000 census. Any increase will be effective July 1, 2001 just as with other county officers; (5) HB 302 provides a minimum annual salary between \$1200 and \$3600 to coroners in counties with a population of less than 35,000 according to the 2000 census. The salary is in addition to the death investigation fee to which the coroner is already entitled to receive. Coroners in these population brackets will also be entitled to longevity and COLAs. This bill does not change the salary of coroners in counties with a population of 35,000 or greater; (6) The bill increases the compensation of the board of registrars and the chief deputy registrar by approximately 10%; (7) This legislation authorizes, but does not require, the board of commissioners to provide a monthly "contingent expense allowance" to the sheriff, clerk of superior court, tax collector, tax commissioner, probate judge, magistrate judge, magistrate clerk, coroner and members of the board of registrars. The amount of the expense allowance depends upon the population of the county in the 2000 census. The expense allowance is in addition to any other expense that the county is required to reimburse.

Status: Effective January 1, 2002 for all provisions except the application of the 2000 census for magistrate judge salaries, the effective date of which is July 1, 2001.

HB 367 Removal of Local Authority Members / Appearance of Indicted Public Officials Before a Grand Jury (Rep. Roger Byrd)

Under HB 367, proposed by ACCG, members of county and municipal authorities such as downtown development, industrial development and other such authorities could be removed from office when an authority member is indicted for a felony offense by a grand jury. The city or county which appointed the authority official is empowered to suspend the authority member from office pending final disposition of the criminal case. If the official is acquitted or a conviction is overturned, the authority member would be reinstated. This process parallels that which applies to indicted elected officials. In addition, SB 234, by Sen. Bill Hamrick, was attached to HB 367.

Status: Effective upon signature of the Governor

HB 393 Open Records: Ride Share Programs (Rep. Karla Drenner)

HB 393 allows records that include personal information regarding participants in ride sharing programs to remain confidential.

Status: Effective upon signature of the Governor

HB 399 Home Rule Compensation for County Commissioners (Rep. Richard Royal)

This legislation implements one of ACCG's priorities for 2001. The bill authorizes each county governing authority to fix the salary, compensation, expenses, or expense allowances of the members of the county governing authority. It mirrors existing law, in effect since 1965, which authorizes municipal officials to set their own compensation. However, any increase in compensation would not become effective until after the succeeding general election and the decision to increase compensation would have to take place prior to the qualifying date for the general election. In addition, notice of any proposed increase would have to be posted in the legal organ of the county once a week for three consecutive weeks prior to any action on a salary increase. The notice would have to specify the fiscal impact of the compensation increase. Compensation under local acts of the legislature would remain in effect until they are increased pursuant to this bill. Finally, the bill expressly authorizes the legislature to either increase or decrease the levels of compensation set by the county governing authority by local act, and further authorizes the General Assembly, by local act, to withdraw the home rule compensation power from a county governing authority.

Status: Effective upon signature of the Governor

HB 400 Decals on Public Motor Vehicles (Rep. Tom Shanahan)

Current law generally requires all publicly owned or leased vehicles to display identifying decals on the outside of the vehicle. For counties and cities there is a procedure for excepting certain specified vehicles from the decal requirement following notice and a public hearing. HB 400 extends the exemption procedure to vehicles owned or leased by public housing authorities.

Status: Effective upon signature of the Governor

HB 443 Annexation Mapping (Rep. Richard Royal)

This bill is intended to simplify annexation mapping reporting requirements, reduce costs, and produce more accurate and regularly updated maps. Under HB 443, cities will submit four things to the Department of Community Affairs:

- 1) legal document authorizing the annexation;
- 2) effective date of annexation;
- 3) letter stating annexation will be added to next scheduled boundary and annexation survey; and
- 4) copy of annexation preclearance transmittal letter submitted to U.S. Department of Justice.

Cities will add all annexed areas to maps provided by the Census Bureau during the next regularly scheduled boundary and annexation survey and return them to the Census.

Status: Effective July 1, 2001

HB 474 Transfer of Development Rights: Amend Procedures (Rep. Ralph Hudgens)

HB 474 passed as a rider to SB 239. This legislation streamlines current procedures for administering a transfer of development rights (TDR) program for consolidated governments. Specifically, it deletes the provision in current law that requires each transfer to be separately approved by the county or city governing authority. In addition, for any counties or cities that choose to implement a TDR program, the bill requires sending and receiving areas to be identified when adopting the TDR ordinance, and expressly authorizes counties and cities to operate joint TDR programs by way of intergovernmental agreement.

Status: Effective upon signature of the Governor

HB 513 Public Works Construction Corrections/Open Records (Rep. Tom Shanahan)

This legislation provides bidders and offerors on public works construction contracts the same protection from unfair competitive practices as provided to bidders and offerors on road construction projects in the current open records law. Pending bids and proposals will be exempt from the open records law until the contract is awarded or the project is abandoned. This prevents bidders and offerors from reviewing competing bids and proposals in an effort to gain an unfair competitive advantage. All of the bids and proposals become subject to disclosure under the open records law once the contract is awarded, once all bids or proposals are rejected or once the project is abandoned. Additionally, HB 513 makes several technical corrections to the Georgia Local Government Public Works Construction Law that was passed last year, as well as exempts hospital authority construction projects that are funded entirely by private dollars from complying with the requirements of the law.

Status: Effective July 1, 2001

HB 651 Leasing of School Property (Rep. Bob Holmes)

This bill allows cities, counties, county boards of education, city boards of education, and governing bodies of independent school systems to lease any school property that it has determined is no longer needed for school purposes to any person, group or corporation for a period of up to 50 years. Current law restricts such leases to 15 years in length.

Status: Effective July 1, 2001

SB 13 Probation for Ordinance Violations (Sen. Mike Crotts)

This legislation clarifies the ability of a magistrate or municipal court to place an individual on probation for an ordinance violation.

Status: Effective July 1, 2001

SB 50 Superior Court Clerks: Records in Digital Format (Sen. Eric Johnson)

This legislation allows superior court clerks to store records of closed cases in digital format, i.e., on computer diskette or compact disk, rather than on microfilm or books. In addition to taking less space, this will provide greater ability to search and retrieve these records.

Status: Effective July 1, 2001

SB 147 Municipal Court Sessions Held Outside of Municipality (Sen. Terrell Starr)

This legislation allows municipal courts to conduct hearings outside of the city, so long as they are held within the county in which the city is located.

Status: Effective upon signature of Governor

SB 162 Nuisance Abatement/Unsafe Buildings (Sen. Michael Meyer Von Bremen)

This legislation, supported by ACCG and GMA, modernizes and clarifies the law regarding unsafe property and buildings. The objective of SB 162 is to help local governments get seriously derelict property repaired or cleaned up and restored to productive use. The bill would make it clear that the nuisance abatement procedure is a proceeding against the property, rather than the property owner, and would provide improved notice of the pending action to any person considering acquiring an interest in the property. If a property owner, including an absentee owner, refuses to repair the property, and the county or city expends public funds to do so, the local government's lien to recover those funds would have a higher priority than currently allowed. The bill also authorizes counties to recover all or a portion of its costs from the property owner when a city abates the nuisance. Definitions and notice provisions in current law would also be clarified while preserving due process for property owners. An amendment was added on the Senate Floor prohibiting cities, but not counties, from restricting the use of language other than English on signs for privately owned businesses.

Status: Effective July 1, 2001

SB 205 Open Records: Social Security Numbers/Credit Card Numbers Confidential (Sen. Steve Thompson)

This bill amends the Open Records Act by requiring that social security numbers, mother's birth names, credit card numbers, debit card numbers, bank account information, financial data and insurance or medical records that are maintained by public agencies be redacted from most open records request. The news media may still obtain the social security number and date of birth of any individual. Additionally, this confidential information may be released to the person requesting information about himself or herself, pursuant to a court order, for law enforcement purposes, or other governmental administrative purposes specified in the bill. The bill also provides: (1) that any person who discloses or distributes any of the private information addressed in SB 205 would be guilty of a misdemeanor of a high and aggravated nature upon conviction and any individual damaged by the release of the information would have a cause of action for invasion of privacy; and (2) that any custodian having good faith reason to believe that a pending request for records has been made under false pretenses, shall apply to the superior court for a protective order.

Status: Effective July 1, 2001

SB 213 Elections: Election Reform (Sen. Jack Hill)

SB 213 is the Secretary of State's Elections Reform legislation. It includes the following provisions: (1) Creates a statewide uniform electronic voting initiative to mandate that uniform voting equipment be provided to each county in time for the July 2004 General Primary. The State with, it is hoped, financial support from the federal government, will purchase equipment. Counties will be responsible for providing funding for local technical support; (2) Implements a pilot project to test and evaluate electronic voting equipment in four to five selected municipalities during the 2001 election cycle. All equipment used in the pilot program must have received both national and state certification; (3) Creates a 21st Century Voting Commission to evaluate equipment alternatives and recommend a preferred supplier for a uniform system. The 17-member panel will be comprised of equal representation from each political party, with appointments made by the Secretary of State, the Governor, Lt. Governor, Speaker of the House, and will include local election officials and the Director of the Elections Division; (4) Streamlines the General Election ballot by eliminating the Non-partisan Primary used to select judges and other non-partisan posts. Under current law, candidates for these offices appear on the ballot in July, are selected at that time, yet appear once again, unopposed, on the November General Election ballot. The bill eliminates this redundant second step, and reduces the number of selections voters must make on the General Election ballot; (5) Reduces voter confusion by requiring a short, descriptive title for all constitutional amendments; and, (6) Reduces the opportunities for voter fraud by consolidating responsibility for removing deceased persons from the voter roll in the Office of Secretary of State. Under current law, only counties are authorized to remove the dead from voting rolls. The new legislation authorizes the state Elections

Division to assume this function, which should result in a more accurate voter roll.

Status: Effective July 1, 2001

SB 230 GIS Database Information (Sen. Mike Polak)

SB 230, proposed by ACCG, creates an exception to the open records act. The bill authorizes counties and cities that have created and maintain geographic information system (GIS) databases in electronic form to sell or provide access to the GIS information in accordance with a fee schedule of licensing arrangement. The fees established by the county or city could be designed to recover a reasonable portion of the costs of building and maintaining the GIS operations. The bill authorizes local governments to ensure that the public is fairly and reasonably compensated for GIS records or information provided to the public.

Status: Effective upon signature of the Governor

SB 234 Corruption Prevention Act (Sen. Bill Hamrick)

SB 234 passed as a rider to HB 367. Under current law, an indicted public official has the right to appear before the grand jury, to be present personally or through an attorney during the presentation of evidence, and to make a sworn statement to the grand jury. With the passage of HB 367, such privilege will be expressly limited to indictments arising out of the official's public duties.

Status: Effective upon signature of the Governor

SB 239 County Codes: Judicial Notice and Distribution / Transfer of Development Rights (Sen. Dan Lee)

Under current law, counties and cities are required to submit copies of their codified ordinances to the State Law Library after January 1, 2002. SB 239, proposed by ACCG and GMA, gives local governments the option to post their codes on the internet in lieu of sending them to the State Law Library. In addition, the bill allows courts to take judicial notice of the existence of a copy of an ordinance or resolution codified by law. Presently, local ordinances are proven by either (1) having the clerk testify and identify the original minutes or (2) providing an exemplified copy of the minutes of the meeting at which the ordinance was passed. In addition, HB 474, which amended the transfer of development rights law, was attached to SB 239.

Status: Effective upon signature of the Governor

SB 270 Allowing State and Magistrate Court Judges to Set Bond on New Offenses by Parolees and Probationers (Sen. Rene Kemp)

Currently, an individual who is charged with a misdemeanor involving physical injury or a felony while on parole or probation may not bond out of jail prior to the hearing on the revocation of their parole or probation unless a superior court judge issues an order setting bond. SB 270 allows state and magistrate court judges to set bond for these individuals. When determined appropriate by the judge, these individuals could be released rather than waiting in the county jail.

Status: Effective July 1, 2001

HEALTH & HUMAN SERVICES

[Staff: Suzanne Nieman]

HB 156 Patient Right to Know Act of 2001 (Rep. Larry Walker)

This bill authorizes the Composite State Board of Medical Examiners to create physician profiles on each physician licensed to practice medicine in Georgia. The information will be compiled in a form that can be disseminated to the public upon request. The patient also has the right to inquire as to the estimated charges for a routine office visit, routine treatments, and lab tests prior to receiving treatment.

Status: Effective upon signature of the Governor

HB 201 Juvenile courts, alternative detention (Rep. Arnold Ragas)

This bill provides that the court may in its discretion place a child in a treatment or rehabilitation program provided by the Department of Juvenile Justice or the juvenile court as an alternative to detention.

Status: Effective July 1, 2001

HB 223 Dental screenings by dental hygienists (Rep. Buddy Childers)

This measure is designed to make more dental screening available at schools, hospitals, clinics, state, county, local and federal public health programs. Dental screening in this measure means a visual assessment of the oral cavity without the use of X-rays, laboratory tests. Dental hygienists without supervision could perform such screening. Accessibility to dental care for children and adults continues to be a major health concern.

Status: Effective July 1, 2001

HB 241 Georgia Volunteers in Dentistry Act (Rep. Lester Jackson)

This legislation allows a retired dentist, in good standing in Georgia, to be issued a special license to practice dentistry, not compensated, in public agencies or institutions which provide dentistry services only to indigent patients in areas of Georgia which are underserved by dentists or critical need population areas of the state. The Act sunsets July 1, 2004.

Status: Effective July 1, 2001

HB 470 Department of Community Health (Rep. Mickey Channell)

This legislation allows the Department of Community Health (DCH) to appoint a health care work force policy advisory committee to oversee and coordinate workforce planning activities. It also permits DCH to accept donations and grants. DCH would be enabled to match public funds and charitable dollars with available Indigent Care Trust Fund dollars. Trust Fund dollars can already be matched with federal funds. The bill further authorizes DCH, subject to the availability of funds, to establish pilot projects to provide health care coverage and access to essential health care services or benefits to the uninsured and underinsured, including but not limited to pharmacy assistance programs.

Status: Effective upon signature of the Governor

HB 558 Sales tax exemption (Rep. Louise McBee)

This bill exempts certain sales to nonprofit organizations providing services to mentally retarded persons from state sales and use tax.

Status: Effective January 1, 2002

HB 593 Extend TANF benefits to legal immigrants (Rep. Mary Squires)

When Georgia enacted its welfare reform laws, after Congress converted AFDC to Temporary Assistance for Needy Families (TANF) block grants, it opted to give new arrivals meeting the TANF qualifications the same benefits as citizens, but only until July 1, 1997. This was to allow time to determine the cost of such coverage. Each subsequent year the date was extended by a year. This bill gives new immigrants who are "qualified aliens" access to TANF on a permanent basis under the same rules and conditions as citizens.

Status: Effective July 1, 2001

HB 734 Inmates certain volunteer services (Rep. Jimmy Skipper)

This bill provides for rules and regulations governing the hiring out of inmates by the Department of Corrections to any political subdivision, public authority, public corporation, agency, or state or local government to contract for and receive the inmates. Any such volunteer service program shall include elements whereby the volunteer inmates provide services of benefit to the community while receiving training or work experience suitable for their rehabilitation. This bill will, specifically, allow prison inmates to work with Habitat for Humanity.

Status: Effective July 1, 2001

HR 101 Expand PeachCare for Kids Program (Rep. Hinson Mosley)

The House of Representatives urges the United States Congress to take all necessary steps to amend Title XXI of the federal Social Security Act to remove exclusions that prohibit expansion of the PeachCare for Kids Program to cover children of public employees. This is one of the Governor's uninsured initiatives.

Status: Effective upon signature of the Governor

HR 484 Commission on Work Force Security and Enhancement (Rep. Nan Orrock)

This resolution creates a 17 member Commission on Work Force Security and Enhancement in the New Georgia Economy. The study will include consideration of strategies for assisting workers and employers

in adjusting to changing economic conditions and changes in the mix of employment opportunities, and the role of public-private partnerships in implementing worker education and job training and community assistance. The resolution was amended to SR 134 (below).

Status: Effective upon appointment of members

SB 14 Increase Georgia Minimum Wage (Sen. Charles Walker)

This bill increases the state minimum wage from \$3.25 to \$5.15 per hour. It includes exemptions that protect the smallest businesses with 5 employees or fewer and those with sales of \$40,000 or less per year, and exempts certain types of employees such as high school students, newspaper carriers, and waitresses and waiters.

Status: Effective July 1, 2001

SB 51 Emergency Medical Services (Sen. Nadine Thomas)

This bill adds provisions regulating the use of automated external defibrillators by lay rescuers. The term “lay rescuer” means a person trained to provide cardiopulmonary resuscitation and to use an automatic external defibrillator. The “lay rescuer” described in this Code section shall be immune from civil liability for any act or omission to act related to the provision of emergency care or treatment by the use of or provision of an automated external defibrillator. Such immunity shall not apply to an act of willful or wanton mistreatment.

Status: Effective July 1, 2001

SB 60 Child Fatality Review Panel (Sen. Steve Thompson)

This measure requires that each county establish a local multidisciplinary, multiagency child fatality review committee. The chief superior court judge of the judicial circuit shall establish the committee. Each local review committee shall issue an annual report and transmit it to the Georgia Child Fatality Review Panel. The Child Fatality panel is in addition to the required child abuse protocol committee in each county.

Status: Effective July 1, 2001

SB 84 Food Service Establishments (Sen. Tom Price)

This bill changes the definition of food service establishments. It specifically exempts any outdoor recreation activity sponsored by the state, a county, a municipality, or any department or entity thereof, any outdoor public school function, or any other outdoor private school function from the definition. It further exempts the preparation and serving of meals, lunches, short order, sandwiches, frozen desserts, or other edible products if the preparation or serving occurs upon the site of a fair or festival which is sponsored by a political subdivision of the state or a nonprofit organization, last 120 hours or less, and when sponsored by such an organization, is authorized to be conducted pursuant to a permit issued by the county or municipality in which it is conducted.

Status: Effective July 1, 2001

SB 98 Health Benefit Policy Coverage – Ovarian Cancer (Sen. Steve Thompson)

This bill requires every health benefit policy, on or after July 1, 2001, to provide coverage for surveillance tests for women who are aged 35 and over, and who are at risk for ovarian cancer.

Status: Effective July 1, 2001

SB 132 Regulation of EMS Technicians, Paramedics and Cardiac Technicians (Sen. Connie Stokes)

This bill transfers the certification and recertification responsibilities for paramedics and cardiac technicians to the Department of Human Resources from the Composite State Board of Medical Examiners.

Status: Effective January 1, 2002

SR 134 Creation of Joint Study Committees (Sen. Charles Walker)

This resolution creates three joint study committees, the 14 member Joint Study Committee on the Prevention and Emergency Care of Injuries in Georgia, the six member Joint Study Committee on Georgia Border Communities, and the 17 member Commission on Work Force Security and Enhancement in the New Georgia Economy. The committees will make a report of their finding and recommendations, with suggestions for proposed legislation, if any, by December 2001.

Status: Effective upon appointment of members

SR 262 Task Force on Prescription Drugs (Sen. Horacena Tate)

This creates the Senate Study Committee on Developing a Federally Funded Prescription Drug Benefit for Low-Income Elderly Citizens. The five-member committee will recommend action to ensure that low-income elderly have access to available drug therapies and ensure maximum leveraging of federal funds for this purpose.

Status: Effective upon appointment of members

NATURAL RESOURCES & ENVIRONMENT

[Staff: Chris DeVinney]

HB 33 DNR Board Membership Qualifications (Rep. Terry Coleman)

HB 33 changed the qualifications of DNR Board members to ensure that, when future appointments are made, one member will represent the agriculture community. The legislation also urges the Governor, when making new appointments, to consider appointing a forester and a doctor with experience regarding environmental health effects.

Status: Effective July 1, 2002

HB 206 Contributions to Water Authorities / Water Quality Sampling Criteria (Rep. Chuck Schied)

HB 206 will allow customers to make voluntary contributions to local water authorities for water quality projects. HB 206 also exempts public water supply reservoirs from requirements of the Georgia Sedimentation and Erosion Act, authorizes the DNR Board to establish criteria for water quality monitoring data samples collected and used by EPD to either list or de-list streams from the state's 303(d) List of Impaired Waters. In addition, this legislation authorizes DNR to establish acceptable methods for measuring salinity in coastal waters, and requires that EPD provide an annual accounting of all interbasin transfers of 1 million or more gallons of water per day.

Status: Effective July 1, 2001

HB 261 Income Tax Credit for Low and Zero-Emission Vehicles (Rep. Richard Royal)

This bill expands the state income tax credit currently allowed for the purchase of new low-emission vehicles (\$2,500) by also allowing a tax credit for the purchase of new zero-emission vehicles (\$5,000), and makes the tax credit available to citizens throughout the state who either buy or lease such vehicles.

Status: Became effective upon Governor's signature on April 4, 2001

HB 301 Hunting and Fishing Bill of Rights (Rep. Greg Morris)

HB 301 proclaims hunting and fishing in Georgia to be a right rather than a privilege, makes DNR the sole regulatory authority on hunting and fishing, and prohibits local governments from passing ordinances to regulate hunting and fishing. However, at ACCG's request, the bill's author included language protecting local governments' authority to appropriately manage their lands and pass firearm ordinances to protect public safety.

Status: Effective July 1, 2001

HR 174 Hazardous Waste Trust Fund Study Committee (Rep. Tom Shanahan)

HR 174 established the Joint Hazardous Sites Response Act Reauthorization Study Committee to examine issues and recommend possible solutions related to the Georgia Hazardous Waste Trust Fund. A 1999 state audit report projected a \$213 million shortfall in Trust Fund revenues to clean up Georgia's hazardous sites. The study committee will provide an opportunity for public and private interests to discuss equity issues related to the Trust Fund's revenue streams and allocations for projects.

Status: Effective upon signature of the Governor

SB 130 North Georgia Metropolitan Water Planning District (Sen. Steve Thompson)

SB 130 is an effort to address water problems in the metropolitan Atlanta area by creating a regional water planning body known as the North Georgia Metropolitan Water Planning District. The District, strictly a planning body with no enforcement authority, would cover 18 Atlanta-area counties, including Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Fulton, Forsyth, Gwinnett,

Hall, Henry, Paulding, Rockdale, and Walton. The District will be governed by a board comprised of approximately 29 members. Every county within the region plus the City of Atlanta will have representation on the board. In addition, 10 non-elected stakeholder members will be appointed by the Governor, Lt. Governor and the Speaker of the House to serve on the board. The board will be supported by staff from the Atlanta Regional Commission in cooperation with staff from the Georgia Mountains RDC, the Coosa Valley RDC, the Chattahoochee-Flint RDC, and the Northeast Georgia RDC. These staff members will work with technical experts and receive watershed-based input to create basin-specific plans and an overall district plan to address storm water, wastewater, water supply and water conservation issues within the metropolitan Atlanta region. Once plans are approved by the District and given EPD's approval, EPD will use its permitting authority and the ability of local governments to access state funds for water projects to ensure that local governments implement the plans to which they have agreed. The District board is expected to hold its first meeting in June 2001.

Status: Effective May 1, 2001

SR 142 Joint Comprehensive Water Plan Study Committee (Sen. Steve Thompson)

SR 142 established the 23-member Joint Comprehensive Water Plan Study Committee, which includes legislators, a county and a city representative, and agriculture and wildlife conservation representatives, to comprehensively examine statewide water quality and water quantity issues, and create a long-term strategy and appropriate policies for addressing Georgia's water issues. The study committee will be supported by a technical advisory committee of water related experts and stakeholders, including academic, business and environmental interests, and will spend two years working toward creating the statewide water management strategy and its supporting policies.

Status: Became effective upon Governor's signature on April 5, 2001

While SB 130 is an effort to work specifically toward solving water problems within the Metropolitan Atlanta area, SR 142 seeks to address statewide water issues that are common throughout Georgia.

PUBLIC SAFETY

[Staff: Clint Mueller]

HB 658 Remove Convicted Persons from Local Jails (Rep. Don Wix)

This bill gives sheriffs a procedure for removing state prisoners from county jails that are being held there while awaiting an appeal trial. After the convicted person has remained in custody of the jail for 90 days, the sheriff through the prosecuting attorney can petition the sentencing court for a hearing to determine whether the person should be transferred into state custody. Before the hearing the Department of Corrections must be notified and the court shall take into consideration space available in the state corrections system. This bill will help reduce the counties cost for housing state inmates that do not have a legitimate reason for remaining in the county jail.

Status: Effective July 1, 2001

HB 678 Maximum Speeding Fines and Use of Cameras at Red Lights (Rep. Mike Snow)

This bill sets maximum speeding fines for first offense violations. Counties cannot set fines higher than the following limits for a first offense conviction for exceeding the maximum lawful speed limit.

5 miles per hour or less– no fine

6 to 10 miles per hour - \$25

11 to 14 miles per hour - \$100

15 to 18 miles per hour - \$125

19 to 23 miles per hour - \$150

24 to 33 miles per hour - \$500

33 and above - \$1000

The last section of this bill outlines the powers local authorities have when using electronic monitoring devices to enforce traffic violations at intersections. Counties can use cameras placed at intersections to document red light violations, and a uniform traffic citation can then be mailed to the registered owner of

the motor vehicle. Before a county can begin using the traffic control monitoring devices a request must be made from chief law enforcement official and the governing authority of the county or municipality must grant approval. Prior to entering into a contract to purchase the monitoring devices a public hearing must be held. Local governments using the monitoring devices will be required to submit an annual report to the state containing statistical information about the use of these monitoring devices. Penalties for disobeying traffic control devices under this code section will be a civil fine that shall not exceed \$70. The accused will have the opportunity to contest the charges in court.

Status: Effective July 1, 2001

REVENUE & FINANCE

[Staff: Clint Mueller]

HB75 Report Specific Information on Every Bond, Note or Obligation Issued (Rep. Steve Stancil)
Counties will now be required to report specific information about their debt issues to the Department of Community Affairs. This information must be reported once a year in conjunction with the state required local government finance survey and reporting is not required for any debt issue less than one million dollars. The one million dollar threshold was placed in the legislation to keep local governments from having to report on their more frequent debt issuances like equipment leases and short-term tax anticipation notes. The intent of HB 75 is to give local government officials a benchmark for determining appropriate issuance costs when negotiating a bond sale. Issuing bonds is an infrequent event for most local governments in Georgia. Lack of experience in bond issuance requires local governments to rely heavily on their underwriter and bond counsel. The required information collected in accordance with HB 75 will enable a local government to find out what other governments in Georgia have paid for issuing bonds of similar size, duration and purpose.

Status: Effective upon signature of the Governor

HB 364 Rented Heavy-Duty Equipment Motor Vehicles Classified as Inventory (Rep. Jeannette Jamieson)

If a dealer's business is primarily the sale of heavy-duty equipment motor vehicles, then any vehicles rented to a customer will not be subject to ad valorem tax by the customer. The vehicle, while rented, is still considered to be a part of the dealer's inventory, and is taxed as inventory.

Status: Effective July 1, 2001

HB 582 Extend Distribution Formula for Unidentifiable Sales and Use Tax Proceeds (Rep. Tom Buck)
A provision in HB 582 gives the Department of Revenue the ability to continue to distribute unidentifiable sales tax funds based on a formula. Previous authority in law to distribute these funds sunsets on December 31, 2000. A mechanism for distribution is important because sometimes inaccurately completed sales tax forms sent to DOR prohibits DOR from determining the proper location of collection. When DOR cannot determine which local jurisdiction is owed the sales tax funds, the money is placed in the state's account indefinitely. Although unidentifiable sales tax funds currently only account for less than one half of one percent of sales taxes collected, it is important that these funds are distributed back to local governments rather than remaining in an account unusable for local projects.

Status: Effective upon signature of the Governor

HB 610 Sales Tax Exemption on Film Production Equipment and Digital Broadcast Equipment (Rep. Jeanette Jamieson)

To encourage the movie making industry to make films in Georgia, all film production companies certified by the Department of Industry Trade and Tourism will be exempt from paying sales tax on purchases of equipment for their production activities. In addition, digital broadcast equipment purchased or leased by a federally licensed commercial or public radio station, television broadcast station, or cable distributors will be exempt from sales tax. The Federal Communications Commission is requiring this industry to convert from analog to digital. Although most of the large broadcasters have already converted, the sales tax exemption will help the smaller broadcaster that have not converted because of the high costs. The fiscal note on the exemption for broadcast equipment estimates the revenue decrease for local governments in Fiscal Years 2002, 2003, 2004 and 2005 to be approximately \$4.1, \$6.5, \$3.5 and \$1.0 million respectively.

Status: Effective July 1, 2001

SB 150 Raise Personal Property Tax Exemption to \$7,500 (Sen. Bill Hamrick)

Currently personal property with a fair market value less than \$500 is not subject to ad valorem tax. SB 150 calls for a statewide referendum to increase the personal property tax exemption to \$7,500. If the referendum passes in the November 2002 general election, tax assessors will eliminate all personal property accounts with a fair market value less than \$7,500. DOR estimates that the increased exemption would eliminate between 40 and 60 percent of personal property tax accounts and would create a loss of about 2 percent in personal property tax revenue. Increasing the exemption could save counties money by eliminating a large percentage of the accounts processed and audited by the assessor's office. The reduction in accounts would allow the assessors office to do more audits of the larger accounts.

Status: Effective on January 1, 2003 if passed in the November 2002 general election

BILLS CARRIED FORWARD TO 2002

ECONOMIC DEVELOPMENT & TRANSPORTATION

HB 35 State Agencies Decentralization Plan (Rep. Robert Irvin)

This bill would require the Governor and the Commissioner of the Department of Administrative Services (DOAS) to develop a decentralization plan for state agencies to reduce the number of state employees working within the metropolitan Atlanta area by at least 25% by July 1, 2005. The decentralization plan must be presented to the General Assembly by January 2002 and is intended to: 1) improve air quality in the metro Atlanta area; 2) reduce the costs of state government; 3) ensure that state government services are available to citizens residing outside metropolitan Atlanta; and 4) promote economic development in economically depressed areas of the state, especially south Georgia.

Status: Pending in House Appropriations Committee

HB 141 Marking Provisions for One-way Roadways (Rep. Carl Rogers)

HB 141 would require the marking of intersections and use of reflectors on one-way roadways and rotary traffic islands to prevent traffic from entering one-way roadways in the wrong direction. This legislation could result in additional costs for counties.

Status: Pending in House Transportation Committee

HB 159 Minimum Number of Persons in High Occupancy Vehicle Lanes (Rep. Paul Jennings)

Under HB 159, passenger vehicles must be occupied by two or more persons who are of the minimum age required for a Class D driver's license or older in order to drive in HOV lanes.

Status: Pending in House Transportation Committee

HB 160 Maximum School Zone Speed Limits (Rep. Gail Buckner)

This legislation would set the maximum speed limit in a designated school zone at 25 miles per hour unless a lower maximum limit is posted.

Status: Pending in House Motor Vehicles Committee

HB 162 Provisions for Failure to Maintain Railroad Crossings (Rep. Charles Bannister)

HB 162 would authorize counties and cities with railroad grade crossings to pursue damages, including attorney's fees, for the railroad's failure or refusal to maintain crossings, which allow the safe and convenient passage of public traffic.

Status: Pending in House Transportation Committee

HB 300 Bridge Construction Over Marshlands (Rep. Lester Jackson)

This legislation would prohibit the construction of bridges on or over protected marshlands unless the bridges are for public use and constructed by the Department of Transportation. HB 300 would not prohibit the maintenance, repair, or reconstruction of existing bridges.

Status: Pending in House Transportation Committee

HB 454 Privately Owned Residential Property - Enforcement of Uniform Rules of the Road (Rep. Chuck Scheid)

HB 454 would authorize the law enforcement agency of a county or city to use speed detection devices on roads and streets in privately owned residential property if 50% or more of the property owners residing in the community sign a petition requesting the use of such devices by the law enforcement agency.

However, the governing authority of the county or municipality must approve the use of its law enforcement agency to enforce the uniform rules of the road within privately owned residential area. This bill also provides that where the use of a stationary speed detection device in privately owned residential property has been authorized, the vehicle from which the device is being operated does not have to be visible for a distance of 500 feet as is the case when the devices are being used on public roads and streets.

Status: Pending in House Motor Vehicles Committee

HB 490 Job Tax Credits (Rep. Jeanette Jamieson)

This legislation would amend the Georgia Business Expansion and Support Act (BEST) by allowing job tax credits for any business of any nature in: 1) the first forty counties designated as least developed in the tier 1 economic ranking; and 2) certain eligible census tracts located in metropolitan areas of the state.

Status: Passed House; pending in Senate Finance and Public Utilities Committee

HB 568 Restriction on Naming of Public Roads and Bridges (Rep. Sally Harrell)

This bill would provide that no road or bridge comprising the state highway, county road or municipal street system can be officially designated or re-designated with the name of any living current or former elected public official.

Status: Pending in House Transportation Committee

HB 709 BEST Amendment: Tax Credits for Business Locating in Border Counties (Rep. Ben Harbin)

When a business is considering locating new facilities in a Georgia county, which borders another state, HB 709 would authorize the Commissioner of Industry, Trade and Tourism to designate the border county as a Tier 1 or Tier 2 county if the business locates in the Georgia border county. This would allow the business to receive income tax credits as an incentive for locating in Georgia rather than the border state.

Status: Pending in House Ways and Means Committee

HB 803 Limiting Expenditures of State Public Transportation Funds (Rep. Carl Rogers)

HB 803 would prohibit the expenditure of State Public Transportation Funds or state bonds to construct roadways within a city, which form a continuous loop. Since this description could be interpreted to mean a bypass, the legislation could have a detrimental impact on road construction projects statewide as funding would be removed from these construction projects, thereby putting the projects on hold.

Status: Pending in House Transportation Committee

HB 875 Withdrawal of Local Government(s) from Joint Development Authority (Rep. Mike Snow)

This bill would provide a procedure for the withdrawal of one or more local governments from a joint development authority and includes the following restrictions for withdrawal: 1) the joint authority can not have any unpaid bonds or bond anticipation notes; 2) at least two local governments must remain as members of the authority; and 3) each member government must adopt a resolution providing for withdrawal of participants and specifying the division of assets, debts, rights and obligations.

Status: Pending in State Planning and Community Affairs Committee

HR 130 Joint Study Committee on Urban Road Building Guidelines (Rep. Barbara Mobley)

HR 130 would establish the Joint Study Committee on Urban Road Building Guidelines to examine and develop recommendations for constructing and maintaining more roadways designed to safely accommodate pedestrians.

Status: Passed House; pending in Senate Transportation Committee

HR 391 Community Redevelopment Tax Incentive Program (Rep. Steve Stancil)

This resolution proposes to amend the Constitution to authorize counties and cities to establish, by ordinance, a community redevelopment tax incentive program. This program and ordinance would allow local governments to: 1) increase the rate of ad valorem taxes applied to property identified as blighted; and

2) decrease the rate (for a specified period of time) of ad valorem taxes applied to formerly blighted property that has been rehabilitated or for property whose owner has submitted a redevelopment plan accepted by the local government for which the local government has accepted an owner's plan for redeveloping the property. The program or ordinance must also contain elements which: 1) establish standards for determining whether property is maintained in a blighted manner; 2) establish a procedure for identifying property maintained in a blighted condition including notifying property owners and providing for hearings; and 3) establish standards which property owners must meet in order to remove the blighted designation from their property.

Status: Pending in House State Planning and Community Affairs Committee

SB 59 Restrictions on Use of Outdoor Multiple Message Signs (Sen. Don Cheeks)

SB 59 would alter restrictions on the use of multiple message signs erected along the interstate system and primary highways of the state by changing the minimum amount of time in which a multiple message sign must remain fixed from ten seconds to six seconds. Additionally, message signs cannot be placed within 3,000 linear feet of another multiple message sign on the same side of the highway

Status: Passed Senate; pending in House Transportation Committee

SB 113 Pedestrian Entering Painted Crosswalk (Sen. Donzella James)

SB 113 would require a driver to stop and remain stopped to allow a pedestrian to cross the roadway within a painted crosswalk when the pedestrian has stepped at least three feet from the curb and onto the roadway unless the roadway is divided by a median and the pedestrian is not upon the half of the roadway on which the vehicle is traveling. Violators will be fined \$25 - \$250.

Status: Pending in Senate Public Safety Committee

SB 300 Amend State Transportation Fund Allocation (Sen. Casey Cagle)

This bill would amend the law concerning the allocation of DOT funding. Under current law at least 85% of available funds have to be distributed equally among the State's congressional districts, with DOT's board having a 10% funding discretion and 5% going to road projects incidental to economic development. Under SB 300, the DOT board would be authorized to use its discretion in allocating funds to congressional districts in amounts, which it deems appropriate for meeting the transportation requirements of the State as a whole after giving consideration to the needs of any areas of rapidly increasing population. This requirement does not include any state or federal funds specifically designated for maintenance operations, any project undertaken for purposes of the Developmental Highway or any project of the Georgia Regional Transportation Authority, Georgia Ports Authority or Metropolitan Atlanta Rapid Transit Authority.

Status: Pending in Senate Transportation Committee

SR 229 Study Committee for Underground Utility Interruptions (Sen. Robert Lamutt)

This resolution would create a Senate study committee charged with developing policies and practices, which reduce interruptions of underground utilities. The ten-member committee, to be appointed by the Lieutenant Governor, will contain members of both public and private sectors including: Senators and representatives from the Utilities Protection Center, Georgia Power Company, Atlanta Gas Light, Georgia GIS Data Clearinghouse, Open Geodata Consortium, and the construction and real estate industries.

Status: Pending in Senate Defense, Science and Technology Committee

GENERAL COUNTY GOVERNMENT

HB 23 Age of Children in Polling Places (Rep. Buddy DeLoach)

While children under 12 years of age may presently accompany their parents into the voting booth, HB 23 would change this to allow children or grandchildren under 18 years of age to do so.

Status: Passed House; pending in Senate State & Local Government Operations Committee

HB 112 Absentee Voting Without Qualification (Rep. Bob Holmes)

During the 15 days prior to an election, an elector may vote an absentee ballot without meeting any of the required qualifications for absentee by appearing in person at the main office of the board of registrars and requesting an absentee ballot.

Status: Pending in House Governmental Affairs Committee

HB 128 Additional Duties and Compensation for Superior Court Clerks (Rep. Mary Squires)

In addition to doubling the supplement paid by the county to superior court clerks for serving other courts, this legislation would provide a minimum supplement for those superior court clerks who have been appointed by the superior court judge to provide jury management (i.e., excusing and deferring jurors). In 1984, state law changed allowing superior court judges to appoint the clerk of superior court to perform the administrative duties for jury management. However, no additional compensation was provided for these additional duties.

Status: Pending in House Judiciary Committee

HB 134 Prosecution of Failure to Display Mobile Home Decals in Consolidated Governments (Rep. Louise McBee)

Currently, mobile home owners are required to display a decal each year evidencing payment of ad valorem property taxes. Counties may prosecute the failure to display the mobile home decal in magistrate court. This legislation would give consolidated governments the option to prosecute such cases in either magistrate court or the municipal court of such consolidated government.

Status: Pending in House Special Judiciary Committee

HB 284 Condemnation by Electric Utility Companies (Rep. Harold Mann)

HB 284 would prohibit a private or public utility company from condemning private property to acquire property or easements for construction of electric power lines unless the county or city within which the property is located consents to the condemnation.

Status: Pending in House Judiciary Committee

HB 320 Zoning: Non-party Participation in Mediation (Rep. Earl Ehrhart)

House Bill 320 would amend the Zoning Procedures Act to permit third parties to participate in court-ordered mediation resulting from the appeal of a local government's decision to deny rezoning of a property. Any owner of property within one mile of the boundaries of the disputed property may petition to participate in the mediation. If more than three parties file a request, the court would be required to appoint a special master to decide which one will be allowed to participate.

Status: Pending in House State Planning & Community Affairs Committee

HB 338 Open Records: Exempt 911 Records (Rep. Glenn Richardson)

This bill would exempt records of 911 communication centers in any pending investigation or prosecution of criminal or unlawful activity other than initial police arrest reports and initial incident reports.

Status: Pending in House Judiciary Committee

HB 348 Zoning: Broaden Standing to Challenge Decisions (Rep. Stephanie Stuckey)

This bill would give legal standing to residential property owners within a well-defined neighborhood, community, or rural district to bring or join any action challenging zoning or land use decisions made by county or municipal officials affecting such area.

Status: Pending in House Judiciary Committee

HB 365 Minimum Compensation for County Commissioners (Rep. Jeanette Jamieson)

The bill would establish a minimum salary for commissioners with part time commissioners. No further action anticipated on this bill.

Status: Pending in House State Planning & Community Affairs Committee

HB 401 Unisex Bathrooms in Public Buildings (Rep. Gail Buckner)

If passed, HB 401 would require that each public building that receives a permit for construction or renovation after July 1, 2001 would have to provide at least one accessible restroom on the main floor of the building that is unisex so that caregivers to disabled persons would have a facility available to them regardless of the sex of the disabled person or caregiver.

Status: Pending in House Industry Committee

HB 504 Magistrate Participation in County Retirement System (Rep. Tom Shanahan)

Unlike the other county officers, magistrate judges do not have a statewide retirement system and depend solely upon the retirement plan offered by the board of commissioners, if any. This legislation would require the county to include the magistrates, at the expense of the county, in any retirement system or pension plan offered or provided to other county employees.

Status: Pending in House Retirement Committee

HB 534 Collection of Unpaid Fines by Administrative Office of the Courts (Rep. Curtis Jenkins)

This legislation would authorize, but not require, superior courts, state courts, probate courts and magistrate courts to submit unpaid fines for criminal and ordinance violations to the Administrative Office of the Courts (AOC) for collection. The AOC would retain 5% of the collected fines to cover administrative costs and remit the remainder back to the county.

Status: Pending in House Special Judiciary Committee

HB 550 Service Delivery Strategies: Require Consideration of Utility Franchise Fees Paid by Unincorporated Residents to Cities (Rep. Don Parsons)

Currently, utility franchise fees levied by cities are paid by both unincorporated and incorporated property owners. This is a form of municipal double taxation imposed by cities on unincorporated residents through their utility bills. In effect, unincorporated residents are, unwittingly, subsidizing the general operations of cities. HB 550 would still allow the practice to continue, but the utility fees paid by unincorporated residents to cities would have to be taken into account in any negotiations regarding a county service delivery strategy that addresses tax equity.

Status: Pending in House State Planning & Community Affairs Committee

HB 614 Zoning: Authorize Moratoria (Rep. Tom Campbell)

This bill would amend the zoning procedures act to expressly authorize a county or city to impose a moratorium having duration of 120 days or less without complying with the hearing and notice requirements of the act. The bill defines a moratorium to mean the partial or complete cessation of acceptance and consideration of applications for zoning decisions.

Status: Pending in House State Planning & Community Affairs Committee

HB 661 Compensation for Losses Due to Governmental Rules and Regulations (Rep. Tom Everett)

HB 661 would provide that the state, its agencies and political subdivisions should compensate the owner of property for any demonstrable loss in the value of the property resulting from any rule or regulation issued by such entity. If passed, the owner of the property would have the burden of proving the extent of the loss in value.

Status: Pending in House Judiciary Committee

HB 669 Waiver of Immunity (Rep. Tom Bordeaux)

HB 669, as introduced, would have waived the immunity of counties and cities for damages arising out of the negligent operation of on-road motor vehicles owned or leased by a county or city. The bill would establish minimum coverage at \$500,000 per person per occurrence, \$1,000,000 aggregate per occurrence, and \$250,000 aggregate for property damage per occurrence, but authorizes local government to set higher minimums on coverage whether through self-insurance, IRMA membership, or commercial insurance. In addition to the waiver, the original bill contained positive provisions for counties and cities including apportionment of damages, substitution of the county or city for employees and officials that might be sued, bars punitive or exemplary damages or interest prior to judgment, and limits the applicability of the waiver to claims arising out of events occurring on or after January 1, 2002. Unfortunately, a substitute bill was favorably reported by a subcommittee. The substitute eliminates the apportionment and substitution provisions of the original bill and increases the exposure of counties and cities to \$1,000,000 per person per occurrence for bodily injury and \$1,000,000 per occurrence for property damage.

Status: Pending in House Judiciary Committee

HB 683 Court Bailiff Compensation (Rep. Steve Stancil)

The maximum per diem paid to court bailiffs in the superior court would be increased from \$70 to the per diem allowed by law to members of the General Assembly, which is currently \$128.

Status: Pending in House Judiciary Committee

HB 692 Superior Court Clerks: (1) Ability to Purchase Bonds and Insurance; and (2) Service to Juvenile Courts (Rep. Mary Squires)

HB 692 proposes several changes to the responsibilities of the superior court clerk and the juvenile court: (1) HB 692 would increase the amount of the clerk's bond from \$25,000 to \$100,000. HB 692 would give the superior court clerk the authority to increase the amount of the bond. ACCG believes that such an increase should be in the discretion of the board of commissioners; (2) HB 692 would authorize the superior court clerk to purchase insurance independent of the board of commissioners. ACCG opposes this portion of the legislation as the purchase of indemnity insurance with taxpayer dollars is solely in the discretion of the board of commissioners; (3) HB 692 would specifically authorize the superior court clerk to establish the compensation of the employees of the office without regard to funds available in the budget. ACCG opposes this portion of the legislation; (4) HB 692 would require the superior court clerk to serve as clerk to the juvenile court in any newly created juvenile court in counties with a population less than 200,000.

Status: Pending in House Judiciary Committee

HB 693 Superior Court Clerks: Consolidation and Automation of Records (Rep. Mary Squires)

This legislation would require that real and personal property records maintained by the superior court clerks be consolidated into an automated system. It would provide a uniform system for indexing Uniform Commercial Code filings, as well as establish uniform filing fee for real estate, personal property and lien documents. Additionally, under current law, when parties fail to calculate filing fees and submit a check in excess of the required amount, the superior court clerk is required to refund the overpayment. In cases where the overpayment is very small, it is difficult to justify the cost to the taxpayers to process and prepare refund checks. HB 693 would eliminate this requirement.

Status: Pending in House Judiciary Committee

HB 747 Additional Penalty for DUI (Rep. Ben Bridges)

This legislation would increase the penalty for driving under the influence (DUI) by \$1 or 1% of the fine to be used for victim compensation programs. It would allow the families of victims killed in a vehicle accident involving DUI on a state road to have a memorial marker placed at the location of the accident.

Status: Passed House; pending in Senate Judiciary Committee

HB 764 Annexation of Unincorporated Islands: Provide for Objections (Rep. Rich Golick)

This bill would establish a procedure whereby annexation of an unincorporated island could be blocked by written objection of owners of 60% or more of the land area within the area proposed for annexation.

Status: Pending in House State Planning & Community Affairs Committee

HB 799 Annexation Moratorium in Urban and Suburban Counties (Rep. Richard Royal)

HB 799 would impose a temporary one-year moratorium on annexation in counties in areas defined as Standard Metropolitan Statistical Areas by the federal government. The bill would, however, authorize annexations to proceed with approval of the county governing authority or for land presently developed for residential use at the rate of 4 units per acre or greater.

Status: Pending in House State Planning & Community Affairs Committee

HB 802 Superior Court Clerk: Fees for Filing Financing Statements (Rep. Charles Bannister)

This legislation would increase the fee for filing financing statements on secured transactions. ACCG supports increases in filing fees. As additional duties are placed upon the office of the superior court clerk and other fees reduced or eliminated, the burden on the taxpayers is increased. Increasing filing fees requires the users of the service to help shoulder some of the costs to the office, rather than requiring the county taxpayers to bear the full burden.

Status: Pending in House Judiciary Committee

HB 859 Qualified Interpreters for Hearing Impaired Witnesses (Rep. Tom Bordeaux)

Under current law, counties are required to obtain qualified sign language interpreters through the Department of Human Resources (DHR), which is responsible for maintaining a list of qualified sign

language interpreters as well as their fee schedule. In order to be a qualified interpreter, an individual must be certified by either the National Registry of Interpreters for the Deaf or the Georgia Registry of Interpreters for the Deaf. These interpreters are necessary whenever a hearing impaired person is interrogated by a law enforcement officer, is provided with a court appointed attorney or is a witness in or is interested in any meeting of the board of commissioners or any other county proceeding. HB 859 removes the responsibility of DHR to maintain a list of qualified sign language interpreters and fee schedule. Counties would be required to obtain qualified interpreters directly.

Status: Pending in House Judiciary Committee

HB 948 Electronic Transmission of Criminal Case Data (Rep. Jim Martin)

This legislation would require superior court and state court clerks to electronically transmit data on all criminal cases filed within thirty days to the Superior Court Clerks' Cooperative Authority. Grants may be available to the Superior Court Clerks' Cooperative Authority from the Criminal Justice Coordinating Council to assist in the development of criminal data transmission and a statewide database.

Status: Pending in House Judiciary Committee

SB 15 Publication of Photographs of Persons Convicted of Crimes Involving a Sexual Act (Sen. Don Checks)

The clerk of court would be required to publish a photograph and notice in the legal organ of individuals convicted of crimes involving sexual acts and family violence. Any person convicted of these crimes would be assessed \$25 to assist in covering the cost of publication.

Status: Pending in Senate Judiciary Committee

SB 18 Video Gaming Machines (Sen. Mike Beatty)

If passed, SB 18 would declare video poker and video slot machines to be gambling devices, and as such, contraband subject to seizure by state and federal authorities. The bill would also stiffen penalties for violation of the law.

Status: Pending in Senate Veterans and Consumer Affairs Committee

SB 32 Creation of County Boards of Elections and Registration (Sen. Robert Brown)

This legislation would provide for the creation of county boards of elections and registration in each county where there is not a board of elections or joint board of elections and registration already in existence. The new boards would have to be in place by January 1, 2002. The bill would combine the duties of the election superintendent and the board of registrars. Counties would be responsible for providing the necessary office space, equipment, supplies and compensation for staff. Please review the impact of this bill on your county comparing the cost of a joint board to the cost of maintaining separate offices for the two functions and let us know how your county will be affected.

Status: Pending in Senate State & Local Government Operations Committee

SB 49 Condemnation: Interference with Access Rights (Sen. Van Streat)

SB 49 would provide that diminution of market value of property stemming from interference with access to a condemnee's property from traffic control devices such as medians would be compensable. However, compensation under this bill would only apply to properties where there is or has been an actual taking by a state or local government prior to July 1, 2002.

Status: Passed Senate; pending in House Transportation Committee

SB 110 Open Records Exception for Medical Examiners (Sen. Steve Thompson)

Certain records maintained by a coroner or chief medical examiner conducting a death investigation are exempt from open records. SB 110 would extend this exemption to records obtained by medical examiners other than the chief medical examiner.

Status: Passed Senate; pending in House Judiciary Committee

SB 158 Equal Number of Peremptory Jury Strikes (Sen. Eric Johnson)

Under current law, a prosecutor is only permitted half the number of peremptory challenges or "strikes" to potential jurors in a criminal trial as the defendant. This legislation increases the number of peremptory strikes available to the prosecutor's office to the same number of strikes provided to the defendant.

Increasing the number of strikes increases the number of potential jurors called and paid a per diem by the county taxpayers.

Status: Pending in Senate Judiciary Committee

SB 204 Video Games (Sen. Mike Polak)

The bill would expand penalties for violations of law limiting redemptions from video gaming machines and expressly authorize counties and cities to regulate coin operated amusement machines that are not considered gambling devices and reward players with noncash redemptions. The bill was amended to essentially ban video gambling machines. A conference committee was unable to resolve the differences.

Status: Passed House and Senate in different forms; recommitted to Senate Rules Committee

SB 208 Internet Commerce/Home Delivery (Sen. Ed Harbison)

If passed, SB 208 would authorize the marketing, sale, and delivery to homes, of tobacco products, malt beverages and wine by electronic commerce retailers over the internet. This legislation raises questions of loss of alcoholic beverages tax revenues by local governments.

Status: Passed Senate; pending in House Agricultural Committee

SB 271 Notice to State of Challenge to Unconstitutionality of Statute (Sen. René Kemp)

A copy of any lawsuit challenging the constitutionality of a statute would be required to be served upon the Attorney General pursuant to this bill.

Status: Passed Senate; pending in House Judiciary Committee

HEALTH & HUMAN SERVICES

HB 119 Hospital Authority Members (Rep. Jeanette Jamieson)

This bill would prohibit any member of a county of municipal governing authority from being appointed as a member of the board of a hospital authority. The effective date of the legislation would be on or after July 1, 2001 to fill a vacancy on the board of any hospital authority for an unexpired term or a full term.

Status: Pending in House Health and Ecology Committee

HB 127 Juvenile Courts (Rep. Mary Squires)

This bill would restrict full-time juvenile court judges from serving as a judge in another court.

Additionally, the measure clarifies the obligation of the district attorney regarding a petition in juvenile court when the district attorney declines to prosecute a child 13 to 17 years of age in superior court.

Status: Passed House; pending in Senate Judiciary Committee

HB 143 Juvenile Court Reimbursements (Rep. Carl Rogers)

This legislation would provide that juvenile courts require parents or other legal guardians of a child involved in a juvenile court hearing to reimburse the county, the Department of Human Resources or the Department of Juvenile Justice for certain expenses, if they are financially able to pay.

Status: Pending in House Judiciary Committee

HB 332 Community Service Boards (Rep. Carl Von Epps)

This bill redefines community mental health, mental retardation and substance abuse (MH/MR/SA) service boards (CSBs) and clarifies their legal status. The legislation is permissive - CSBs may elect to remain as they are currently defined, public, non-profit agencies. The legislation defines community services boards as a "board established to provide certain public disability services not provided by other public or private providers under contract with the regional board". It allows CSBs to become a public corporation that can buy and own property. It prohibits CSBs from forming nonprofit organizations or limited liability corporations. ACCG worked with the sponsor and eliminated the zoning exemption. County commissioners will have up to 120 days (up from 90 days in the original bill) to fill a vacancy for a CSB member. No sooner than 121 days and no later than 150 days after the vacancy occurs, members of the General Assembly whose House or Senate districts include any part of the county served by the CSB, appoint a person to the CSB. ACCG objects to the change for filling vacancies of a CSB member, and considers it bad public policy. The Committee Substitute was attached to HB 498.

Status: Pending in House Human Relations and Aging Committee

HB 434 Consumer Choice Negotiated Health Insurance Plan (Rep. Ben Harbin)

This bill would eliminate health insurance mandates for employees of small businesses (2 to 50 employees) and individual policyholders. Only in recent years have health insurers been required to cover life-saving procedures such as pap smears, mammograms and screening for prostate cancer. The legislation provides for the employer to negotiate with their employees, most likely paying more for special coverage in their policy.

Status: Pending in House Insurance Committee

HB 498 Abolish Regional Mental Health, Mental Retardation, Substance Abuse Boards (Rep. Tom Murphy)

This measure as it passed the House contains the language of HB 332 and amended HB 498 as originally introduced. This version does not abolish regional boards. It renames the regional boards and maintains the regional board and planning unit system, and places greater responsibility for contracting and fiscal monitoring with the Division of Mental Health, Mental Retardation, Substance Abuse (MH/MR/SA) of DHR. The regional director will still be hired by the MH/MR/SA Division Director and will serve at his or her pleasure. The Division will prepare annual plans for the region in consultation with the regional planning units and boards, consumers, family members, community programs, hospitals, public and private providers, etc. The bill returns fiscal accountability to the Division of MH/MR/SA.

Status: Passed House, pending in Senate Health and Human Services Committee

HB 652 Health Care Work Force Shortage Act (Rep. Ron Dodson)

The intent of this legislation, supported by the Secretary of State, Department of Community Health, Department of Human Resources, and other organizations, is to address the severe health care personnel shortage throughout Georgia. Of particular concern is the increase in chronic illnesses in Georgia's aging population, an increase in the average age of registered nurses to approximately 45 years old, and a greater need for experienced allied health personnel and nurses in specialty areas to meet the more acute care needs of patients. The bill would request information from licenses to analyze the supply and demand of health care personnel.

Status: Passed House; pending in Senate Health and Human Services Committee

HB 718 Indoor air quality in public schools, annual inspections (Rep. Mack Crawford)

This bill directs the Department of Human Resources and the State Board of Education to develop rules and regulations for the annual inspection of public schools for indoor air quality by county boards of health. Implementation of this measure may require additional training for inspectors and additional financial resources.

Status: Passed House; pending in Senate Health and Human Services Committee

HB 978 Newborns eligible for Medicaid (Rep. Sally Harrell)

This bill requires that hospitals and related institutions identify newborn babies as eligible for medical assistance. The Department of Community Health shall establish procedures to ensure that pregnant women who are Medicaid recipients are counseled to make, prior to delivery of their child, a choice of a primary care physician for the mother and child.

Status: Pending in House Health and Ecology Committee

HR 131 CA: Public Funds For Use by Religious Organizations (Rep. Clint Smith)

This resolution proposes a constitutional amendment to allow public money to be used by religious organizations, denominations and houses of worship for the purpose of providing nonsectarian social services to poor and needy people.

Status: Pending in House Human Relations and Aging Committee

HR 230 Rural Hospitals (Rep. Alan Powell)

This resolution suggests ways that would not further jeopardize rural hospital in Georgia and risk additional hospital closures. Included is that rural hospitals be eligible to participate in contracts with the Department of Corrections to provide health care services available in those hospitals and they be given priority by

departments and agencies of the state and its political subdivisions in providing health care services available at such hospitals.

Status: Pending in House Health and Ecology Committee

HR 342 Create Blue Ribbon Commission on Individual Health Insurance (Rep. Jimmy Lord)

This resolution creates a fifteen member Blue Ribbon Commission on Individual Health Insurance Availability and Its Effect on the Employer Based Health Insurance Market. The Commission would address the serious problems facing Georgia's uninsured, especially those denied coverage due to preexisting health conditions.

Status: Passed House; pending in Senate Insurance and Labor Committee

HR 455 Joint Study Committee on Medical Care for Prison Inmates (Rep. David Lucas)

The joint five-member study committee would examine the issues relating to the government's responsibility in furnishing medical services to inmates, including the present practices and procedures, and the escalating costs of providing such services.

Status: Passed House; pending in Senate Corrections Committee

HR 648 House Study Committee on MH/MR/SA (Rep. Anne Mueller)

The resolution creates the five member House Study Committee on the Organization of the Public Delivery System for Mental Health, Mental Retardation and Substance Abuse Services. A thorough legislative study is needed to determine if the delivery system created pursuant to HB 100 provides the state with the most effective and efficient organizational structure for the delivery of public mental health, mental retardation and substance abuse services.

Status: Pending in House Rules Committee

SB 82 Registered Nurse First Assistant Consumer Act (Sen. Nadine Thomas)

This measure is to encourage the continued use of registered nurse first assistant who meet certain qualifications as "assistants at surgery" by physicians and surgical facilities. The intent is to provide quality, cost-effective surgical intervention to health care recipients in all areas of the state.

Status: Passed Senate; pending in House Health and Ecology Committee

SB 165 Assisted Living Facilities (Sen. Mike Polak)

This measure provides for a new category of facilities to be designated as assisted living facilities. Currently these facilities are known as personal care homes. The bill includes two pilot programs and authorizes the Department of Medical Assistance to seek the necessary waivers to authorize Medicaid payments for persons receiving care in a licensed assisted living facility - Level II.

Status: Pending in Senate Health and Human Services Committee

SB 166 Pharmacy Assistance Program for Low Income Elderly (Sen. Horacena Tate)

This bill establishes a pharmaceutical assistance program for qualified elderly Georgia citizens, 65 years of age or older, within the Department of Community Health.

Status: Pending in Senate Health and Human Services Committee

SB 299 Market Based Medicaid Reform (Sen. Tom Price)

The bill provides for a pilot program, the Market Based Medicaid Reform Act. It would provide a more cost effective means of providing health care coverage for certain Medicaid eligible individuals and reduce inappropriate use of health care services. Furthermore, it provides incentives to patients to seek preventive and primary care services.

Status: Pending in Senate Health and Human Services Committee

SR 213 Fulton-DeKalb Hospital Authority Overview Committee (Sen. Tom Price)

This resolution would create the Joint Fulton-DeKalb Hospital Authority Overview Committee. The measure would allow the Legislature to inquire into and review the operations, budget contracts, safety, financing, organization and structure of the Fulton-DeKalb Hospital Authority (Grady Memorial Hospital). It would grant a committee of nine lawmakers access to the state's auditors and lawyers to investigate actions of the Hospital Authority. Currently, oversight is left to Fulton and DeKalb County commissioners.

This would set a dangerous precedent for local boards; it would insert state policymakers, the General Assembly, in the midst of all the attendant difficulties and possible negative consequences of local-level administration.

Status: Pending in Senate Veterans and Consumer Affairs Committee

SR 383 Senate Study Committee on Access to Health Care (Sen. Tom Price)

This resolution would create a five member Senate Study Committee on Access to Health Care to study and formulate legislation to protect the citizens of Georgia from being denied access to health care.

Status: Pending in Senate Health and Human Services Committee

SR 429 Senate Study Committee on Prescription Drug Addiction (Sen. Nadine Thomas)

This resolution would create a three member Senate Study Committee on Prescription Drug Addiction. The committee would study the issues and facts relating to prescription drug addiction in the Georgia. Prescription drug abuse is prevalent among older adults and is a threat to the well being of our youth.

Status: Pending in Senate Health and Human Services Committee

NATURAL RESOURCES & ENVIRONMENT

HB 2 Establish Computer Equipment and Recycling Council (Rep. Terry Coleman)

This bill would establish a council, attached to the Department of Natural Resources (DNR), to examine issues related to proper disposal and recycling of computer equipment.

Status: Pending in House Natural Resources Subcommittee

HB 88 Prohibit All Injections into Groundwater Aquifers (Rep. Mary Squires)

HB88 would prohibit any substance from being injected into groundwater aquifers.

Status: Pending in House Natural Resources Subcommittee

HB 118 Tax Credit for Home Historic Rehabilitation (Rep. Jeanette Jamieson)

This bill would allow homeowners who substantially rehabilitate a historic property, which is also a primary residence, to take a state income tax credit during the year that the rehabilitation is completed.

Status: Passed House; pending in Senate Finance & Public Utilities Committee

HB 129 Georgia Forestry Commission Board Makeup (Rep. Terry Coleman)

This bill would change the membership of the Georgia Forestry Commission from a 5-member to a 7-member board.

Status: Passed House; pending in Senate Natural Resources Committee;

HB 147 NPDES Discharge Inspections (Rep. Carl Rogers)

This bill would require EPD to establish a monitoring schedule of NPDES point source discharges at least once every three years, and would substantially increase fines for violation. After a public hearing, HB 147 was held for further study.

Status: Pending in House Natural Resources Subcommittee

HB 149 Stormwater System Monitoring and Penalties (Rep. Carl Rogers)

This bill would require EPD to establish a monitoring schedule of at least once every three years of stormwater systems which discharge into a reservoir or recreational lake and are maintained by a county or municipality. This bill's goal is to ensure that hydrocarbons, or petroleum products, are controlled in stormwater runoff. The DNR board would establish the standard for hydrocarbon in stormwater runoff, and civil fines would be imposed for violation. After a public hearing, HB 149 was held for further study.

Status: Pending in House Natural Resources Subcommittee

HB 150 DNR Board - Establish Parking Lot Construction Permits (Rep. Carl Rogers)

HB 150 would direct the DNR board to establish water quality standards for the allowable amount of petroleum products in stormwater runoff, and to establish regulations for designing parking lots so that any stormwater runoff from the parking lot will be captured and treated to remove petroleum products. This

bill would also require permits to be obtained from DNR prior to constructing parking lots, and would set fines for non-compliance. After a public hearing, HB 150 was held for further study.
Status: Pending in House Natural Resources Subcommittee

HB 229 Income Tax Credits for Greenspace Donations (Rep. Robert Reichert)
HB 229 would allow a state income tax credit for individuals who donate land to local and state governments for greenspace purposes.
Status: Pending in House Ways and Means Committee

HB 405 / HB 406 Revise Coastal Marshland Protection Act (Rep. Lester Jackson)
Both HB 405 and HB 406 deal with development on “coastal hammocks”, which are upland islands surrounded by marshland or water at high tide. HB 405 establishes criteria for permitting land disturbing activities on coastal hammocks to minimize adverse impacts to the marshlands. HB 406 would prohibit land-disturbing activities on hammocks unless an extreme hardship could be shown.
Status: HB 405 and HB 406 are pending in House Natural Resources Subcommittee

HB 420 Increase Stream Buffers (Rep. Stephanie Stuckey)
This bill restores stream buffers to fifty feet on all Georgia streams, and one hundred feet on trout streams. These are the buffer widths that existed prior to the last change to the Erosion and Sedimentation law during the 2000 legislative session.
Status: Pending in House Natural Resources Subcommittee

HB 587 / SB 294 Cost-Benefit Analysis for Environmental Rulemaking (Rep. Tom McCall)
HB 587 and SB 294 House and Senate versions of a legislation that would require EPD to perform a cost-benefit analysis on any proposed environmental rule expected to have a major impact in Georgia. While EPD would not be required to tailor a proposed rule in consideration of the results of a cost-benefit analysis, the cost-benefit information would be required to be available prior to a proposed rule going out for public comment.
Status: HB 587 is pending in House Natural Resources Committee; SB 294 is pending in Senate Natural Resources Committee

HB 650 Permeable Surface Roads, Parking Lots and Sidewalks (Rep. Gail Buckner)
HB 650 would require that all roads, parking lots and sidewalks constructed after the effective date of this bill be built in such a way as to ensure that water can permeate their surfaces.
Status: Pending in House Natural Resources Committee

HB 858 Prohibit Interbasin Transfers (Rep. Alan Powell)
HB 858 would prohibit EPD from approving any permit allowing for interbasin water transfers.
Status: Pending in House Natural Resources Committee

HR 14 Heritage Fund Constitutional Amendment and Referendum (Rep. Bob Irvin)
HR 14 would create the Land, Water, Wildlife, and Recreational Heritage fund to provide grants to local governments for protection of these resources. Its revenue source would be the quarter-mill state property tax plus additional appropriations, and 25% of monies would specifically fund local recreational projects, while 75% would fund other types of projects consistent with the goals of the Heritage Trust Fund. Upon passage of the General Assembly, Georgia voters must approve this measure during the next election cycle.
Status: Pending in House Appropriations Committee

HR 25 Coastal Georgia Beach Renourishment Trust Fund (Rep. Burke Day)
HR 25 would establish a dedicated state-funding source to provide, on a competitive grant basis, for projects that renourish, manage, and preserve Georgia’s coastal beaches. Like the Heritage Fund, this must pass the General Assembly, and then be approved by Georgia voters during the next election cycle.
Status: Pending in House Natural Resources Committee

HR 28 / SR 85 – Georgia Water Bill of Rights (Rep. Dubose Porter / Sen. Charles Walker)

This resolution establishes a set of principles, collectively known as the Georgia Water Bill of Rights, which would guide the actions of all governmental officials and employees of Georgia.

Status: HR 28 - Pending in House Natural Resources Subcommittee; SR 85 – favorably reported by Senate Natural Resources Committee; pending Senate floor vote

SB 21 – Public Service Commission to Set Water Rates (Sen. Eric Johnson)

SB21 would allow the Georgia Public Service Commission to establish the rates for privately owned water supply systems that have 1000 or more taps.

Status: Pending in Senate Finance & Public Utilities Committee

SB 95 Create GA Agricultural Water Conservation Incentive Program (Sen. Harold Ragan)

SB 95 would create a state program to provide funding to assist Georgia farmers in improving water conservation and installing agricultural best management practices to control runoff and improve water quality.

Status: Passed Senate; pending in House Agriculture Committee

SB 249 Rural Georgia Water Planning Districts (Sen. Dan Lee)

SB 249 would create regional water planning districts throughout rural Georgia.

Status: Pending in Senate Natural Resources Committee

PUBLIC SAFETY

HB 461 Include Volunteer Firefighters in Disability Compensation Program (Rep. Newt Hudson)

Last year a constitutional amendment passed creating a compensation program for full-time law enforcement officers and firefighters injured in the line of duty. HB 461 would expand this program to cover volunteer fire fighters.

Status: Passed House; pending in Senate Insurance and Labor Committee

HB 413 Prohibit Private Prisons From Housing Out of State Prisoners (Rep. Chuck Sims)

This bill would prohibit a private prison that is less than 50% complete from being constructed after May 1, 2001. Private prisons in operation prior to May 1, 2001 must comply strictly with state and local rules and regulations. The bill also protects state and local governments from any liability and requires the private prison to reimburse state and any local governments for legal costs incurred from legal actions brought in this state by an inmate of the private facility.

Status: Passed House; pending in Senate Corrections Committee

HB 570 New Seat for PBA on POST Council (Rep. Curtis Jenkins)

This bill would create a new permanent position for the president of the Police Benevolent Association, or his or her designee, on the Peace Officers Standards and Training Council.

Status: Pending in House Public Safety Committee

HB 608 Expand Peace Officers' Annuity and Benefit Fund (Rep. Curtis Jenkins)

This bill would allow county jail officers to participate in the Peace Officers Annuity and Benefit Retirement Fund.

Status: Pending in House Retirement Committee

HB 696 Open Records: 911 Records (Rep. Ken Birdsong)

Under current law, all 911 records are open to the public. This bill would authorize 911 administrators to strike any information from emergency 911 records that would reveal the name, address, or telephone number of any individuals placing calls to 911 operation centers if the information could pose a safety risk to the caller. The objective is to protect individuals from retribution when they report wrongdoing or a problem. This bill does not prohibit the accused in a criminal case or the defense attorney from having access to the records. This bill also requires all open record requests to be made in writing.

Status: Passed House; pending in Senate Public Safety Committee

SB 41 Prohibit Law Enforcement Officers from Making Race-Based Traffic Stops (Sen. Gloria Butler)
SB 41 prohibits law enforcement officer from using a person's race or ethnicity as a reason to stop a vehicle. The bill also requires law enforcement agencies to adopt a policy and implement an annual training program regarding racial profiling. To ensure compliance with this bill, law enforcement officers would be required to record specific information about each traffic stop.
Status: Pending in Senate Judiciary Committee

SB 133 Unlawful to Verbally Abuse a Public Safety Communications Officer (Sen. Carol Jackson)
This bill would make it a misdemeanor for someone to verbally abuse or harass an on-duty public safety communications officer over the telephone.
Status: Pending in Senate Public Safety Committee

SB 288 Minimum Salaries for Sheriff Deputies (Sen. Carol Jackson)
This bill would require counties to pay full-time deputy sheriffs an annual salary no less than the entry-level salary of a corrections officer working for the state.
Status: Pending in Senate Corrections Committee

SB 303 Per Diem for State Prisoners in County Jails (Sen. Joey Brush)
This bill would require the Department of Corrections to pay a per diem to counties for any state prisoners held in a county jail longer than 15 days after the Department of Corrections receives the proper documentation. The per diem would be equal to the lowest per diem rate per inmate paid by the state to a private prison contracting with the state.
Status: Pending in the Senate Corrections Committee

REVENUE & FINANCE

HB 142 Mandatory Training and Certification for Tax Commissioners (Rep. Richard Royal)
This bill requires the DOR commissioner to establish position classifications, the minimum number of staff needed within each classification and standards. For each classification the commissioner will be required to establish a comprehensive training and certification program, and the state will pay a salary supplement for those employees that achieve and maintain required certification levels. The training will be funded from an additional \$1.00 per license plate or revalidation decal issued by each county tax commissioner and an additional \$1.00 for each motor vehicle certificate of title processed. One half of the fees will be remitted to the state to pay for the training and salary supplement and the other half retained by the county for their increased costs for implementing G.R.A.T.I.S.
Status: Pending in House Ways & Means Committee

HB 262 Eliminate Issuance and Display Requirements for Mobile Home Decals (Rep. Terry Barnard)
This bill would eliminate the requirement for mobile home owners to display a decal showing the current calendar year for which ad valorem taxes have been paid.
Status: Pending in House Ways & Means Committee

HB 321 Extend Hotel/Motel Tax Collections from 10 to 30 Days (Rep. Ron Dodson)
This bill would authorize local governments to extend the hotel/motel tax from 10 to 30 days of continuous occupancy. An exemption would also be granted for charitable 501 (C) (3) organizations providing lodging or accommodations for homeless or battered women.
Status: Pending in House Ways & Means Committee

HB 337 Excess Funds from Tax Sales and Limits on Premiums Paid on Redeemed Property (Rep. Glenn Richardson)
This bill would require a county to pay any excess funds received from a tax sale plus interest to the authorized recipient after 30 days from the date of sale. The bill would also reduce premiums charged for redeemed property from 20% of the purchased price at the tax sale multiplied annually to a one-time fee equal to 10% of the purchase price. ACCG is concerned that counties could incur large interest liabilities if

the owner of the property cannot be determined. The reduction in the premiums could also cause further delay for the county in redeeming delinquent taxes.

Status: Passed House; pending in Senate Banking & Financial Institutions Committee

HB 439 Back to School Sales Tax Holiday (Rep. Ron Borders)

This bill would create a sales tax holiday to exempt from sales tax clothing, wallets and bags having a sale price of \$100 or less. The sales tax holiday would run for four days in August. The bill does not grant this holiday for more than a one-year period. Estimates on the loss of local sales tax revenue have not yet been determined.

Status: Pending in House Ways & Means Committee

HB 503 Prohibit Tax Assessors from Appealing Decision Made by the Board of Equalization (Rep. Burke Day)

This bill would prohibit the county tax assessor's office from appealing a decision made by the Board of Equalization. The taxpayer would still have the right to make an appeal to Superior Court. This bill could hinder the tax assessor's ability to maintain uniformity among properties creating an inequity in the local tax burden.

Status: Pending in House Ways & Means Committee

HB 553 Require 100% Homestead Exemption from HOST (Rep. Paul Jennings)

This bill would require any county implementing a Homestead Option Sales Tax (HOST) after July 1, 2001 to give a 100% county ad valorem tax exemption on homesteaded property before using any of the HOST revenue for capital projects. After a 100% exemption is granted the county could use up to 20% of the total revenue for capital projects.

Status: Pending in House Ways & Means Committee

HB 590 Increase Vendor Compensation for Collecting Sales Tax (Rep. Jeanette Jamieson)

This bill calls for raising the compensation paid to vendors for collecting sales tax from 3 percent to 4.5 percent of the first \$3,000 of sales tax collected and 3 percent to 4.5 percent on all motor fuel taxes collected.

Status: Pending in House Ways & Means Committee

HB 707 EXEMPT BUSINESS INVENTORY FROM AD VALOREM TAX (REP. RICH GOLICK)

This bill would expand the Freeport exemption on business inventory to include all tangible personal property in inventory. The new exemption would only become effective after passage in a local referendum.

Status: Pending in House Ways & Means Committee

HB 777 RESTRICTIONS ON CALLING FOR A HOST REFERENDUM (REP. RICHARD ROYAL)

This bill would prohibit a county from calling a Homestead Option Sales Tax (HOST) referendum within 24 months of the lapsing or termination of any local sales tax. This bill would also require a county to get a signed agreement with every municipality in the county specifying how the proceeds from the tax would be spent.

Status: Pending in House Ways & Means Committee

HB 806 Required Distribution of SPLOST Proceeds (Rep. Carl Rogers)

This bill would require counties to disburse SPLOST proceeds and any accumulated interest on a monthly basis in equal apportionments towards the projects specified in the resolution that called for the imposition of the tax.

Status: Pending in House Ways & Means Committee

SR 14 Constitutional Amendment - Restrict Reassessments on Residential Real Property (Sen. Eric Johnson)

This resolution calls for a constitutional amendment to exclude residential real property from the uniformity provisions of the constitution. The constitutional change would give local officials, upon approval in a local referendum, the ability to restrict annual increases in valuation on residential real

property to an inflation percentage established by the revenue commissioner. Residential real property would not be reassessed at fair market value until it is sold.

Status: Pending in Senate Finance & Public Utilities Committee

State Appropriations For the Fiscal Year Beginning July 1, 2001

Economic Development & Transportation Appropriations

Department of Community Affairs

Georgia Regional Transportation Authority – \$4,678,619
Regional Economic Business Assistance (REBA) Program - \$3,000,000 for economic development projects

Department of Industry, Trade and Tourism

OneGeorgia Authority - \$34,131,677 for economic development projects in rural Georgia.
FY 2001 supplemental budget included \$17,871,416 for OneGeorgia.

Department of Technical and Adult Education

Quick Start Program -\$13,506,524 (including a \$3.5 million increase) for recruiting and retaining businesses by providing employee-training services to new and expanding industries at no cost.

Department of Transportation

LARP - \$26,076,690 (plus \$3 million in the FY01 Supplemental Budget).
GRIP - \$50 million
Airport Aid Program - \$3,798,827
Mass Transit Grants - \$13,530,481 to match federal and local mass transit grants for transit projects across the state
Georgia Rail Passenger Program - \$1,350,000

Health & Human Services Appropriations

Judicial Branch - Indigent Defense Council

- \$500,000 additional for grants to counties for indigent defense

Department of Community Health

- \$2,126,097 to provide Medicaid coverage for children in families with incomes up to 150% of the federal poverty level
- \$500,000 to continue evaluating the feasibility of a Medicaid buy-in program for working people with disabilities to continue Medicaid coverage
- \$780,195 to annualize the reimbursement rates for Critical Access Hospitals provided in the SFY 2001 supplemental budget (Total funds: \$10,470,144)
- \$2,000,000 to use tobacco funds to identify and develop training for cancer caregivers
- \$10,757,201 to provide additional funding for growth in the number of children participating in the PeachCare for Kids program

Department of Corrections

- \$6,304,585 to provide start-up and operating funds for 625 beds, 209 positions and 26 vehicles at seven institutions

Department of Human Resources

- \$2,537,000 to increase funds for Babies Born Healthy to provide prenatal care, perinatal case management and pregnancy-related services for women who are poor, but ineligible for Medicaid
- \$1,038,500 to expand outpatient substance abuse treatment to an additional 108 adolescent clients
- \$600,000 to pilot a residential treatment program targeted to adolescents with mental retardation,

- who are found incompetent to stand trial or deemed inappropriate for the Juvenile Justice System
- \$585,000 to provide specialized training for clinical staff in treatment of consumers with co-occurring mental illness and substance abuse
- \$2,816,063 to expand community services for youth with severe emotional disturbance to establish crisis services that are alternatives to state hospitalization
- \$2,237,500 to create a public education program to promote prevention and early detection of cancer using tobacco funds
- \$4,946,500 to continue the State's effort to promote smoking prevention and cessation using tobacco funds
- \$5,000,000 to use tobacco funds purchase cancer treatment for uninsured cancer patients with incomes below 300% of the federal poverty level
- \$4,000,000 to provide home and community-based services to an additional 2,000 elderly clients who are not Medicaid eligible in the Aging Services Program
- \$1,425,000 to provide state (\$700,000) and TANF (\$725,000) funds for statewide implementation of Family Connection
- \$5,297,877 to increase the family foster care and adoption assistance rates to an age based graduated rate of \$12.75 for infants through age 5; \$13.50 for ages 6 through 12; and \$14.25 for ages 13 through 18 and also provide an additional one-time reimbursement of \$200 for graduation expenses
- \$883,000 to provide funds for medical equipment for MH/MR/SA facilities serving client with developmental disabilities and severe mental illness
- \$11,248,661 to expand community-based services for 1,232 people on mental retardation waiting lists including 366 residential care slots, 324 family support slots and 542 supported employment/day habilitation slots
- \$2,816,063 to expand community services for youth with severe emotional disturbance (SED) to establish crisis services that are alternatives to state hospitalization

Natural Resources Appropriations

Department of Natural Resources

- \$30 million was appropriated for the second year of what will hopefully be an ongoing annual installment of grants to Georgia's fastest growing counties to assist in preserving greenspace.
- \$3.5 million was appropriated to fund 60 new positions for EPD to continue the effort to provide the regulatory agency with adequate staff to administer its many environmental programs.

Public Safety Appropriations

Department of Public Safety

- \$4,362,650 to fund 75 troopers, 75 vehicles and operating expenses to patrol the metro area
- \$100,000 to provide continuation funding for the Jail Assistance Program for the Georgia Sheriffs Association
- \$34,000 to fund a polygraph training program for state and local law enforcement officers