

2002 SESSION OF THE GEORGIA GENERAL ASSEMBLY
Final Legislative Report

Association County Commissioners of Georgia
June 3, 2002

During the two-year 2001-2002 session of the General Assembly, 5240 bills and resolutions were introduced and considered. Of those, more than 1117 bills and resolutions had a potential impact on county government. This report covers significant bills and resolutions during the 2002 session. Since this year is the second year in the legislative biennium, this report only includes key bills that passed, and legislation which ACCG was following closely, but which the Governor vetoed. This report is arranged to conform to ACCG policy areas. Within each policy area, legislation is arranged numerically and in the following order: house bills, house resolutions, senate bills and senate resolutions. Effective date is indicated on the status line where specified in the bill.

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**ECONOMIC DEVELOPMENT &
TRANSPORTATION**

[Staff: Althea Fulton]

HB 960 Amend Regulations for Securing Loads on Vehicles (Rep. Tom McCall)

Certain regulations for adequately securing loads on vehicles will not apply to vehicles or equipment carrying unginning cotton. Material which escapes from a load of unginning cotton is unlikely to create a safety hazard for other drivers on a public road.

Status: Effective July 1, 2002

HB 1382 Provisions for Maintenance and Elimination of Railroad Crossings (Rep. Mickey Channell)

HB 1382 provides a much-needed process for resolving disputes between local governments and the railroads when there is disagreement over the maintenance and elimination of railroad grade crossings. Under this legislation, the Georgia Department of Transportation (GDOT) becomes the arbiter of disputes between local governments and the railroads. In maintenance disputes, a local government will petition GDOT for a ruling if it feels that the railroad is not properly maintaining a crossing. GDOT will investigate the matter and issue an order either requiring the railroad to make repairs or nullifying the local government's petition. When local

governments and the railroads disagree over the closing of crossings, GDOT will use a set of criteria, listed in the legislation, to determine if a crossing should be closed. The legislation also includes an appeal process, whereby local governments and the railroads can appeal GDOT's decisions to the state's administrative review system.

ACCG worked with GMA to get amendments removed from the bill that would have shifted the costs of maintaining grade crossings from the railroads to local governments and limited the ability of the state and local governments to direct the railroads in the installation of protective devices. ACCG thanks Rep. Mickey Channell for sponsoring this legislation and working to ensure its passage. ACCG also thanks county officials and staff for contacting your legislators and voicing opposition to the Senate Transportation Committee amendments.

Status: Effective July 1, 2002

HB 1389 Regulations for Low-Speed Vehicles (Rep. Alan Powell)

This bill provides for the definition, operation, regulation and taxation of low speed vehicles. Under this legislation, the term motor vehicle now includes a low-speed vehicle which is defined as any four-wheeled electric vehicle whose top speed in one mile is between 20 miles and 25 miles per hour when traveling on a paved level surface and which is manufactured in compliance with federal motor vehicle safety standards for low-speed vehicles. In regard to licensing, the bill provides that license plates for low-speed vehicles must designate the vehicle as such. The Commissioner of the Department of Motor Vehicle Safety must ensure that metal license plates that indicate low-speed vehicles are available no later than September 1, 2002. Temporary license plates, which designate a low-speed vehicle, may be used until a permanent plate is issued.

The legislation also provides several guidelines for operating low-speed vehicles. For example low-speed vehicles: 1) can only be operated on highways where the posted speed limit does not exceed 35 miles per hour; 2) are entitled to the full use of a lane – with other motor vehicles prohibited from denying a low-speed vehicle full use of a lane; 3) cannot overtake and pass in the same lane occupied by the vehicle

being overtaken; 4) cannot be operated between lanes of traffic or between adjacent lines or rows of vehicles; and 5) cannot be operated adjacent to another vehicle in the same lane. Low speed vehicles being operated on the appropriate state highways must display an amber strobe light mounted in a manner that makes it visible under normal conditions from a distance of 500 feet from the front and rear of the vehicle. In addition, the bill provides that a low-speed vehicle which is also a new low-emission vehicle or zero emission vehicle placed in service during 2001, may receive an income tax credit.

Status: Effective April 25, 2002

HB 1393 Transfer Oversight of OneGeorgia Authority
(Rep. Richard Royal)

This bill transfers the OneGeorgia Authority from the Georgia Department of Industry, Trade and Tourism (GDITT) to the Georgia Department of Community Affairs (DCA). DCA is now responsible for assisting the OneGeorgia Authority in the administration and performance of the Authority's duties, powers, responsibilities and functions. While the OneGeorgia Authority's original goals and funding programs (EGDE and Equity funds) do not change, the bill gives the Authority the power to establish a new funding assistance program – the Georgia Value-Added Agriculture Program. Under this program, the OneGeorgia Authority will establish an agricultural development fund that will be used to develop and encourage value-added opportunities for Georgia's farmers and agricultural producers.

Status: Effective July 1, 2002

HB 1482 Amend Criteria for Regional Economic Assistance Project
(Rep. David Lucas)

HB 1482 revises the minimum criteria for applying for designation as a regional economic assistance project (REAP). Under this bill, a project or a project that has a reciprocal use agreement with an adjacent project cannot be located on or next to a lake that is smaller than 2,500 acres. Other criteria that can be used to attain REAP designation include: having a commercial boat marina with at least 300 boat slips and a facility that provides food; possessing conference facilities that can accommodate at least 150 participants (rather than 250 participants); and being located in a county that contains a state operated facility or authority that provides services and/or products. After the Commissioner of the Georgia Department of Community Affairs (DCA) determines that the project will result in substantial benefits to the local jurisdiction, one of the minimum criteria may be waived.

Status: Effective April 25, 2002

HB 1538 Southwest Georgia Railroad Excursion Authority
(Rep. Jimmy Skipper)

This bill assigns the Southwest Georgia Railroad Excursion Authority to the Department of Natural Resources for administrative purposes only.

Status: Effective July 1, 2002

HB 1587 Waiver of Requirements for Allocating State Transportation Funds
(Rep. Jimmy Skipper)

Currently, when additional state transportation funding becomes available, GDOT may not be able to allocate the funds among congressional districts due to allocation requirements prescribed by Georgia law. This legislation gives the GDOT Board the ability to waive allocation requirements to allow the expenditure of additional funds. A majority of the Board must approve the waiver.

Status: Effective July 1, 2002

HR 391 Community Redevelopment Tax Incentive Program
(Rep. Larry Walker)

This legislation proposes an amendment to the Georgia Constitution to authorize counties and cities to establish a community redevelopment tax incentive program. Under this program, local governments could increase tax rates on property maintained in blighted conditions and decrease taxes, for a certain period of time, for formerly blighted property that has been rehabilitated. Local governments must create the tax incentive program by passing a resolution, which establishes several key elements of the program – such as, defining blighted property, specifying the increased rates of ad valorem taxes to be applied to blighted property, setting standards for what is considered rehabilitated property and specifying decreased tax rates for formerly blighted property that has been rehabilitated.

Status: Subject to ratification in the November general election

HR 1074 Create Joint LARP Study Committee
(Rep. Gerald Greene)

This legislation creates a Joint House and Senate Study Committee to review the laws and funding guidelines regarding LARP in order to determine how the program should be revised to better meet local governments' road resurfacing and maintenance needs. The committee will be composed of four Senators, two county commissioners, and one member of a municipal governing authority to be appointed by the Lieutenant Governor and four Representatives, two county commissioners and one member of a municipal governing authority to be appointed by the Speaker of the House.

Status: Effective upon appointment of members

HR 1372 Joint Study Committee on Economic Development Through Investment of State Pension Funds
(Rep. Calvin Smyre)

This joint study committee will determine the feasibility of authorizing the investment of state pension funds into private equities. This investment tool is intended to enhance economic development in Georgia by creating access to more investment dollars nationally as well as within Georgia. The state pension funds include the Teachers Retirement System and the Employees Retirement System. Georgia currently prohibits the investment of state pension funds into private equities. However, after reviewing the issues and problems associated with this investment tool, the study committee may recommend that legislative action be taken to allow for the

addition of private equities to the state's two largest pension funds.

Status: Effective upon appointment of members

SB 386 Exempting Trucks Carrying Concrete from Weight Limitations (Sen. Nathan Dean)

This bill increases the maximum allowable weight load for trucks carrying ready-mixed concrete on state and local roads to 23,000 pounds per single axle or 46,000 pounds for a tandem axle. The current weight limit for a tandem axle truck is 40,680 pounds. While there are exemptions already in place, which allow trucks to carry large loads of various materials on state and local roads, this legislation would open the door for more trucks carrying additional kinds of heavy materials to travel on county roads, thereby increasing the volume of such trucks on local roads. DOT staff has warned that an increase in the volume of trucks carrying these heavy loads would cause county roads to deteriorate faster. ACCG, county officials and staff worked diligently to kill this bad legislation. Thanks to all county officials and staff for contacting your legislators and voicing opposition to this bill. ACCG will be tracking the impact that the increased volume of trucks carrying heavy loads – above the current 40,680 pounds for a tandem axle truck – has on local roads.

Status: Effective July 1, 2002

GENERAL COUNTY GOVERNMENT

[Staff: Jim Grubiak and Kelly Pridgen]

HB 357 Magistrate Judge Training (Rep. Louise McBee)
Magistrate judges who are attorneys are exempt from the initial training that other magistrates are required to complete prior to being certified. This legislation clarifies that magistrates who are attorneys must complete a mentoring program within twelve months of taking office, as well as participate in annual training beginning their first year in office.

Status: Effective July 1, 2002

HB 571 Probate Judges' Retirement Fund (Rep. Curtis Jenkins)

This legislation will require that \$2 of each civil filing fee and \$1 of each pistol license application fee be paid into the probate judges' retirement fund. HB 541, which has already been signed into law, increased the pistol license application fee from \$10 to \$25, as well as increased civil filing fees by more than \$2.

Status: Effective July 1, 2002

HB 642/SB 554 Cost of Juveniles in Custody of State (Rep. Stephanie Benfield/Sen. Jeff Mullis)

Recently, the Department of Juvenile Justice (DJJ) took the position that it was not responsible for medical costs of children who are in DJJ's custody, but not committed by the court to DJJ. Although there was nothing in the law requiring the county to pay for juveniles in the custody of DJJ (other than court ordered medical treatment), DJJ has been passing this cost along to the county property taxpayers. HB 642 was amended in the Senate to prevent county property taxpayers

from having to shoulder the burden of the cost of care and support of juveniles that are not in the custody of the county and over whom the county has no control. This legislation would have clarified the law that DJJ is responsible for the cost of care and support of all children placed in their custody, whether committed or uncommitted. Unfortunately, because the state budget did not include funding for DJJ to provide medical costs of these juveniles in their custody, this bill was vetoed and the estimated \$4 to \$12 million annual cost to provide medical care for these juveniles will have to be borne by the county taxpayers.

Status: VETOED

HB 696 Open Records: Exemption for 911 Records / Requests in Writing (Rep. Ken Birdsong)

Per ACCG policy, HB 696 will allow records of a 911 system containing personal information about persons placing a call to a public safety answering point to remain confidential. The bill also had a provision to allow counties to require that requests for most public records be in writing. However, that part of it was lost in the waning minutes of the legislative session for procedural reasons.

Status: VETOED

HB 945 / HR 264 Prestige Tags to Raise Funds for Dog and Cat Sterilization (Rep. Lynmore James)

HB 945, endorsed by ACCG, establishes a dog and cat reproductive sterilization support program to control dog and cat overpopulation and thereby reduce the number of animals housed and oftentimes destroyed in animal shelters at county expense. The program will be administered by the Department of Agriculture. In order to fund the program, beginning in the year 2003, specially designed license plates promoting the program will be offered to the public. Funds derived from the plates will be dedicated to support the dog and cat sterilization program. The program is contingent upon ratification of a constitutional amendment (HR 264) which will be considered in the November 2002 general election.

Status: Subject to ratification in November 2002 general election

HB 1087 Agricultural Nuisance (Rep. Robert Ray)

Current law declares that agricultural facilities and operations cannot be deemed to be a nuisance as a result of changed conditions in and around agricultural areas or agricultural facilities. HB 1087 expands the application of the law by defining "agricultural areas" to mean any land not subject to zoning or which may be used for agricultural purposes under zoning laws at the time of commencement of the agricultural operation and one year after commencement of the operation. "Changed conditions" include any change in the use of land in an agricultural area, an increase in the magnitude of an existing use of land in or around an agricultural facility including urban sprawl, and the construction of improvements located in or around the locality of an agricultural facility and throughout the first year of operation of said agricultural facility.

Status: Effective May 13, 2002

HB 1104 Continuation of Clerk Fees (Rep. Larry Walker)

Under current law, which sunsets in 2004, superior court clerks charge an increased fee for certain filings in order to provide funding for the Georgia Superior Court Clerks' Cooperative Authority to develop a state-wide uniform automated information system for property records. The Authority has used the increased fee to provide computer equipment, scanners, work stations and Internet access to the superior court clerks in all 159 counties, creating a database that is available electronically statewide while allowing all of the original documents to remain in the county. All fees collected by the Authority for access to the records on the

Internet are transmitted back to the county. The Authority also maintains back up copies of these important documents on microfilm and compact disc in case of fire or other damage to the courthouse. Additionally, the Authority has provided case management software to maintain criminal, civil and property records electronically to nearly all counties. ACCG supported this legislation that extends the sunset provision to 2006, allowing this service, which provides the public greater access to court documents, to continue to be funded by filing fees rather than by taxpayer dollars.

Status: Effective May 13, 2002

HB 1128 Sovereign Immunity Waiver (Rep. Tom Bordeaux)

As passed, the bill provides for the waiver of counties' and cities' sovereign immunity for injuries arising out of the operation of a county or city motor vehicle. The waiver will be phased-in as follows:

<u>Effective Date</u>	<u>Bodily Injury/ One Person (\$)</u>	<u>Bodily Injury/ Two Persons (\$)</u>	<u>Property Damage (\$)</u>
1/1/05	100,000	300,000	50,000
1/1/07	250,000	450,000	50,000
1/1/08	500,000	700,000	50,000

In addition, the bill also includes certain helpful provisions including:

- Venue for any case in which the county's immunity is waived will be in the home county of the defendant county.
- Punitive or exemplary damages against a county are prohibited.
- Employees and officials of the county can not be sued unless they are acting outside the scope of their duties.
- A successful plaintiff will not be able to levy on county property.
- Certain records of claims adjusters and attorneys for the county will remain privileged and confidential under the open records act.
- Workers compensation will continue to be the exclusive remedy for county employees or officers injured on the job.
- Counties will be able to provide for the payment of claims and judgments through self-insurance, use of a budgeted fund for the payment of claims, purchase of liability insurance, or participation in an interlocal risk management agency (IRMA).
- For counties that are uninsured or self-insured, the fiscal year aggregate liability will not exceed any self-insurance reserve or fund established to pay motor vehicle claims in that year. For counties that are insured in part and self-insured in part, the fiscal year aggregate liability will not exceed the limits of the policies of insurance in combination with any self-insurance or reserve fund established to pay claims in that year. However, any judgment of the court will still be valid even though the limits or the reserves are exceeded in a given fiscal year. Instead, the county will have to pay the claim no later than six months from the end of the fiscal year in which a final judgment was entered by the court following any appeals.

Status: Effective January 1, 2005

HB 1154 Timber and Pulpwood Harvesting Ordinances

(Rep. Johnny Floyd)

Pursuant to HB 1154, counties are expressly authorized to adopt an ordinance or resolution to require all persons or firms harvesting standing timber in the unincorporated areas to provide notice of such harvesting operations to the county governing authority. Notice may be required for each separate tract to be harvested. Counties adopting such an ordinance or resolution are authorized to require timber harvesters to post a surety bond or an irrevocable letter of credit issued by a surety corporation to protect county roads from the cost of repairing damage by harvesters. However, counties will be prohibited from requiring a cash bond or cash deposit and will not be able to require that a harvester get a permit to harvest or haul off timber.

Status: Effective July 1, 2002

HB 1203 Open Records Exemption: Military Records

(Rep. Kenneth Birdsong)

This legislation exempts certain military records filed in the superior court clerk's office for fifty years except to the person who is the subject of the records, their next of kin or authorized agent.

Status: Effective May 13, 2002

HB 1236 Pay for Public Employees on Ordered Military Duty (Rep. Roger Williams)

Under current law, counties are obligated to pay public employees on ordered military duty their regular salaries for up to 18 days in any one continuous period of absence. HB 1236 authorizes, but does not require, counties, cities and school boards to continue to pay such salaries after the 18 day required period for however long they choose to do so.

Status: Effective May 15, 2002

HB 1338 Forfeiture of Contraband (Rep. Michael Boggs)

Under current law, property used to violate controlled substance laws may be forfeited and sold. Portions of the proceeds of such sales may be used for law enforcement purposes, indigent defense, drug treatment, drug education and victim witness assistance programs. This legislation would also allow any contraband real property that is forfeited to a local government to be transferred to a land bank authority in the discretion of the governing authority. Land bank authorities may manage, maintain, repair or sell the property in order to return the property to a more productive use, such as to provide housing, new industry or new jobs for the citizens of the county.

Status: Effective July 1, 2002

HB 1343 Georgia Clean Communities Act of 2002 (Rep. Mark Burkhalter)

This legislation increases the range of fines for littering to a minimum of \$200 and a maximum of \$1200. Volunteers may enforce state and local anti-litter laws in an effort to encourage more enforcement. Either the board of commissioners or the sheriff may appoint volunteers. In order to qualify, the volunteer must be of good moral character, must be a citizen of the United States and must not have been previously convicted of a felony or of a littering ordinance within the county appointing the volunteer. These volunteers will not be required to complete peace officer training and will not have the power to enforce any other traffic or criminal laws or carry firearms. No compensation will be required for these volunteers who will not be considered an employee. HB 1343 also protects the county from any liability for the acts of these volunteers.

Status: Effective July 1, 2002

HB 1346 Open Records Exception for the ACCG Pension Fund (Rep. Bill Cummings)

Generally, many of the records of public pension funds are confidential. This bill expands the exception to the ACCG Pension Fund. This bill passed as a rider to SB 62.

Status: Effective July 1, 2002

HB 1405 Pay for Public Employees on Ordered Military Duty/State Reimbursement (Rep. Ken Birdsong)

This bill authorizes public employers to pay public employees the difference between his or her publicly funded salary and his or her military salary for any or all periods of absence while engaged in the performance of ordered military duty beyond the required 18 days of full compensation as required by current law. The bill would further authorize the Department of Community Affairs to provide grants to local governments to reimburse the cost of the additional compensation. The grant provision would be subject to appropriation by the General Assembly.

Status: Effective July 1, 2002

HB 1514 Blanket Bonds (Rep. Ray Holland)

HB 1514, per ACCG policy, clarifies that blanket bonds are written in lieu of any 2 or more bonds for positions otherwise required to be bonded. The new law also provides that a

blanket bond shall be in an amount sufficient to cover all of the positions covered and that when properly signed and recorded pursuant to, doing so substitutes for any other procedures specified in the individual bond laws.

Status: Effective May 14, 2002

HB 1525 Local Acts: Notice / Fiscal Impact / Effective Date (Rep. Richard Royal)

HB 1525 revises the notice requirements relative to local acts of the legislature by eliminating the requirement that legislators sign an affidavit that the affected county or city was notified about the introduction of the local act. The bill also deletes current law which requires that the effective date of local and general laws having a fiscal impact resulting from the creation of new positions or capital expenditures be delayed until January 1st of the year following enactment of the bill. Note, however, that notwithstanding HB 1525, any new general dealing with salary increases for county officers and magistrates will continue to be subject to the delayed effective date on the following January 1.

Status: Effective May 15, 2002

HB 1547 Non-Chief Magistrate Salaries (Rep. Jimmy Skipper)

This legislation corrects the salaries of non-chief magistrates, which inadvertently were not increased to reflect the cost of living adjustments of prior years when HB 302 passed during last session. The base salary of full-time non-chief magistrates will be increased from \$3,093.00 per month to \$3,412.84 per month or 90% of a full-time chief magistrate's base salary, whichever is less. The base rate for part-time and on-call non-chief magistrates is increased from \$17.84 per hour to \$19.69 per hour, but no less than \$525.08 per month. Any applicable supplements, longevity and cost of living increases remain the same.

Status: Effective January 1, 2003

HB 1575 Increased Threshold for Jury Trial (Rep. Max Davis)

ACCG supported this legislation that will save county taxpayer dollars that must be paid to those who are called to jury duty in civil trials. Under current law, twelve jurors are required for civil trials involving more than \$10,000, while only six jurors are required for civil trials less than \$10,000. In order to obtain a twelve person jury, twenty-four potential jurors must be called, all of whom must be paid a per diem by the county. Only twelve potential jurors are needed to obtain a six person jury. HB 1575 increases the number of cases requiring only six member juries from those civil cases involving \$10,000 to those civil cases involving \$25,000.

Status: Effective July 1, 2002

HB 1669 Local Assistance Grants: Audits/Liability (Rep. Michelle Henson)

Per ACCG policy, this bill will lower the cost to counties of administering local assistance grants and limit the exposure of counties from any misdeeds of a non-profit recipient of a grant awards. Essentially, the bill eliminates the outside audit requirement under current law for all grants of \$5,000 or less. In its place, the non-profit recipient of such grants will be

required to sign an affidavit swearing that the funds were used properly. Grants of over \$5,000 would still require an audit, but the county could use in-house auditors in lieu of outside auditors, the county could charge a small fee for the auditing service of ½ of 1% of the grant amount or \$250, whichever is less. The bill also includes a provision protecting the county from liability if a non-profit recipient improperly handles or expends the state grant funds that pass-through the county to the non-profit.

Status: VETOED

HR 1105 Joint Construction Codes Study Committee (Rep. Johnny Floyd)

This resolution creates the Joint Construction Codes Study Committee to examine the current building and construction code system that sometimes has conflicting codes and is overseen by three different state agencies: the Department of Community Affairs, the Insurance Department and the Department of Labor. One of the issues that the committee will likely examine is how to resolve potential conflicts between the International Building Code, which will be administered by DCA at the state level and the building officials at the local level, and the National Fire Prevention Association, which is administered by the Insurance Commissioner's Office at the state level and the local fire marshal at the local level. The committee will also examine ways to make the adoption, amendment and administration of construction codes more efficient. This sixteen member committee includes ten representatives from counties, cities, architects, engineers, energy efficiency experts, commercial builders, home builders, unions, interior designers and apartment building developers, to be appointed by the Governor, the Lieutenant Governor and the Speaker of the House.

Status: Effective May 16, 2002

SB 110 Open Records Exemption: Medical Examiner Records (Sen. Steve Thompson)

This legislation exempts records, such as medical records, of the medical examiner from public disclosure under the open records law.

Status: Effective May 10, 2002

SB 449 / HB 981 Public Officials on Military Duty: Meetings/No Abandonment (Sen. Nathan Dean / Rep. Charles Bannister)

Per ACCG policy, this bill authorizes county officials to participate in official meetings from remote locations by telephone when on ordered military duty. The new law also makes it clear that an elected official on active military duty is not abandoning his or her office.

Status: Effective May 15, 2002

SB 495 Use of County Law Library Funds for State Court Judge Library (Sen. Bill Hamrick)

Under current law, county law library funds could be used to establish law libraries for the superior court judges. County law library funds are generated by a filing add-on of up to \$5.00 in all civil and criminal cases. This legislation will allow state court judges to request that county law library

funds be used to purchase their law books. Such requests are subject to approval by the county law library board of trustees, which is made up of the chief judge of the superior court, the probate judge, the senior state court judge, if any, the state court solicitor, if any, the superior court clerk and two practicing attorneys in the county who are selected by the other trustees. The law books must be passed on to any successor of the requesting judge.

Status: Effective July 1, 2002

SB 534 Superior Court Clerk Jury Management Salary Supplement (Sen. Rene Kemp)

Beginning in 2003, superior court clerks will be entitled to an additional \$3,440.76 per year for providing jury management (i.e., excusal and deferral of jurors).

Status: Effective January 1, 2003

HEALTH & HUMAN SERVICES

[Staff: Suzanne Nieman]

HB 127 Juvenile Courts (Rep. Mary Squires)

This bill restricts full-time juvenile court judges from serving as a judge in another court. It further 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. The measure divides into separate parts those provisions relating to allegedly deprived children and those provisions relating to allegedly unruly or delinquent children.

Status: Effective July 1, 2002

HB 360 Safe Place for Newborn Act of 2002 (Rep. Judy Manning)

The purpose of this act is to prevent injuries to and deaths of newborn children that may be caused by a mother who abandons her newborn child. The Safe Place for Newborns Act will make it legal for mothers to drop off unwanted newborns, up to 7-days old, at a hospital, institutional infirmary, health center operated by a county board of health, or a facility where human births occur on a regular and ongoing basis with no criminal penalties. Currently, mothers can be charged with a crime for abandoning their children, regardless of the circumstances. The Department of Human Resources (DHR) will take physical custody of the child when the child is medically ready for discharge. DHR shall promptly bring the child before the juvenile court. Medical facilities and their employees will not be liable for civil damages or subject to criminal prosecution for their actions.

Status: Effective May 15, 2002

HB 498 Mental Health, Mental Retardation, Substance Abuse System (Rep. Tom Murphy)

After much study, public hearings around the state, and efforts by the Department of Human Resources under the direction of Commissioner Jim Martin, HB 498 was adopted by both chambers. The new law seeks to streamline a bureaucracy blamed for poor oversight of 173,000 Georgians, including some of the state's most vulnerable citizens, in programs for mental illness, mental retardation and substance abuse. The

bill changes the name of the Division of Mental Health, Mental Retardation and Substance Abuse (MH/MR/SA) to the Division of Mental Health, Developmental Disabilities and Addictive Diseases of the Department of Human Resources (DHR). The law concentrates new powers and accountability for the \$1 billion annual budget for programs with DHR. It further restructures the regional mental health/mental retardation services boards into planning entities and reduces their number from thirteen to no more than six or seven. The role of the new regional planning boards is to engage in disability services planning and to make recommendations to DHR regarding local needs and priorities regarding disability services. The current chief executive officer of the state hospital for each region will become known as the regional state hospital administrator. A regional coordinator appointed and supervised by the Division Director will manage the regional office and supervise the regional service administrator and the regional state hospital administrator for each region.

The bill identifies a community service board as a “public corporation and instrumentality of the state” created to provide publicly funded disability services. Each community service board is created for nonprofit and public purposes to exercise essential governmental functions. The liabilities, debts and obligations of a community service board shall not constitute the liabilities, debts or obligations of the state or any county or any municipal corporation. The bill expands the emergency powers of DHR to act upon notification by a community service board of its inability to provide an adequate range of disability services. This enables the Division Director, with the concurrence of the DHR Commissioner and the Governor, to assume responsibility for the administration and operation of all or one or more community programs operated by a community service board, or to appoint a manager or management team to operate the programs and services of the community service board upon their request for assistance. The measure provides for an expansion of provider choice, in that community service boards will no longer be required to provide a comprehensive range of services, but will, along with other providers, negotiate a contract annually with DHR for services they will provide.

Status: Part I effective July 1, 2002; Part II effective January 1, 2003

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

The intent of this legislation, supported by the Office of 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 needs of patients. This legislation authorizes the Office of the Secretary of State to confidentially compile data through regular surveys of current and new licensees in key health care professions to analyze the supply and demand of health care

personnel in the State of Georgia. The Act is automatically repealed December 31, 2007.

Status: Effective July 1, 2002

HB 1040 Liens and Cost of Care for Traumatic Burn Care (Rep. Alan Powell)

The purpose of this measure is to assure that health care providers have financial incentive to provide medical services for traumatic burn care. “Traumatic burn care medical practice” means care, treatment or services rendered by a medical practice with respect to a patient whose burn care, treatment, or services result in charges in excess of \$50,000 arising out of a single accident or occurrence. This measure assures that providers of traumatic burn care medical services are legally equivalent to hospitals and nursing homes in regard to liens of causes of action accruing to an injured person.

Status: Effective July 1, 2002

HB 1086 Food Establishment Post Business License (Rep. Robert Ray)

This measure requires that each licensed food sales establishment post their business or occupation license or permit in an open and conspicuous manner visible to the public. If the license is not visibly posted, neither the state nor any county, municipality or consolidated government shall issue or renew the business or occupation license or permit.

Status: Effective July 1, 2002

HB 1100 Insurance Coverage for Colorectal Cancer Screening (Rep. Charlie Smith)

This measure increases general medical insurance coverage to include colorectal cancer screening, examinations and laboratory tests. According to statistics, detecting colorectal cancer early increases the five-year survival rate to about 90 percent.

Status: Effective July 1, 2002

HB 1344 Continuation of Volunteer in Medicine Health Care (Rep. Garland Pinholster)

This legislation repeals the sunset provision of the Volunteer in Medicine Health Care. The bill was further amended to repeal the sunset for the Volunteers in Dentistry Act and the Volunteers in Health Care Specialties Act. Retired medical workers, which include doctors and nurses, serve a very valuable service throughout the state, particularly in medically underserved areas.

Status: Effective May 9, 2002

HB 1400 Transportation of Mentally Ill, Mentally Retarded and Substance Abuse Patients (Rep. Jimmy Skipper)

This legislation relates to emergency and non-emergency transportation of mentally ill, mentally retarded, and alcohol or drug dependent individuals who are patients or clients in a facility. This legislation includes HB 381, sponsored by Rep. Chuck Sims, which clarifies the sheriff’s role in the initial and subsequent transportation of a person for mental health purposes. The initial emergency transport is arranged by the sheriff of the county where the patient is found or located. All subsequent transportation is arranged by the governing

authority of the county of the patient's residence. In non-emergency situations, no female patient shall be transported at any time without another female in attendance who is not a client, unless such female client is accompanied by her husband, father, adult brother or adult son.

Status: Effective July 1, 2002

HB 1402 Special License Plate to Support Breast Cancer Programs For Medically Indigent (Rep. Charlie Smith)

Beginning in 2003 a special license plate will be available to support breast cancer related programs for the medically indigent. The funds from the sale of the special license plate, \$25 annually, will be dedicated to the Indigent Care Trust Fund. Programs may include education, breast cancer screening and treatment, grants-in-aid to breast cancer victims, pharmacy assistance programs for breast cancer victims and other projects to encourage public support for the special license plate and the programs funded.

Status: Effective May 15, 2002

HB 1407 Faith-based Programs (Rep. Charlie Smith)

This legislation was part of the Governor's Legislative Package it allows faith-based charities to tap into government funds by permitting religious organizations to draw on government aid for various services. Under this bill, Georgia can take advantage of a federal law allowing state and local governments to aid faith-based charities in providing services through certain federal programs. Religious organizations receiving funding may not refuse services to someone not of their faith, and the money cannot be used for religious instruction or proselytizing.

Status: Effective July 1, 2002

HB 1413 Personal Care Home Employees (Rep. Larry Walker)

Section A of this measure requires a person seeking to operate as a professional bondsman to submit to a criminal background investigation with the Georgia Crime Information Center and the FBI. The measure further requires all applicants for positions in personal care homes, except for those applying for positions whose duties do not include management of resident funds or personal contact between that person and any paying resident of the home for any position, must undergo a criminal background investigation and fingerprint check.

Status: Section a effective May 14, 2002; Section 2 effective July 1, 2002

HB 1565 Tax Credit for Rural Physicians and Rural Hospitals (Rep. Roger Byrd)

This legislation changes the definition of rural physician and rural hospital for purposes of qualifying for income tax credits. Rural hospitals means an acute care hospital located in a rural county that contains fewer than 100 beds and rural physician means a physician who practices in a rural county and resides in a rural county or a county contiguous to the rural county in which he/she practices.

Status: Effective January 1, 2003

SB 364 Brain and Spinal Injury Trust Fund (Sen. Charles Walker)

This measure changes the Brain and Spinal Injury Trust Fund Authority to the Trust Fund Commission. It authorizes the commission to disburse trust fund money for operating expenses, which are to be kept to a minimum. The commission is authorized to disburse funds for the purpose of providing care and rehabilitative services to citizens who have survived neurotrauma with head or spinal cord injuries; however, no funds will be disbursed until approved by the Governor.

Status: Effective July 1, 2002

SB 385 Bioterrorism and Public Health Emergencies (Sen. Steve Thompson)

The legislation was part of the Governor's legislative package. It is a very broad proposal updating a law passed in 1951. Under the bill, the Governor could call a public health emergency in the case of an outbreak of infectious disease which would put in action planned quarantine and vaccination measures by the Department of Human Resources. The bill states that the General Assembly must be called into session after the declaration to approve or vote down the emergency declaration. The measure grants the Governor several other powers after an emergency declaration. Some of these include the power to restrict sales and transportation of guns, explosives and alcohol and the ability to make hospitals provide medical services and the use of their facilities if necessary for the response to a public health emergency. There will be no limitations on legally owned guns.

Status: Effective May 16, 2002

SB 394 Composition of the Board of the Department of Human Resources (Sen. Steve Thompson)

This measure changes the composition of the Board of Human Resources. The change is necessary due to reapportionment. There will be one member from each of the 13 congressional districts in the state and four at-large members, appointed by the Governor and confirmed by the Senate.

Status: Effective July 1, 2002

SB 409 Child Care/Child Development Centers (Sen. Connie Stokes)

This measure authorizes the Georgia Building Authority (GBA) to operate child care and child development centers. Furthermore, the GBA may enter into contracts for the operation of the center. Such centers must be licensed and will be subject to rules and regulations regarding such centers.

Status: Effective May 16, 2002

SB 428 Reunification Plans For Children in DHR Custody (Sen. Charles Tanksley)

A juvenile court may order a child be removed from their home based upon their finding that staying in the home would be contrary to the child's welfare. The court will then place the child in custody of the Division of Family and Children Services of the Department of Human Resources. A permanency hearing must be held for the child within 30 days. The measure also changes the provisions for children in foster care.

Status: Effective May 16, 2002

NATURAL RESOURCES & ENVIRONMENT

[Staff: Chris DeVinney]

SB 442 Grant Awards to Rural Hospitals (Sen. Jack Hill)

The measure clarifies that, as funds become available, the Department of Community Health is authorized to make grants to rural hospitals for public health purposes. Grants may be used for infrastructure development, strategic planning, including strategies for personnel retention or recruitment, up to \$200,000 or for nontraditional health care delivery systems.

Status: Effective May 15, 2002

SB 472 Self-administration of Asthma Medication (Sen. Gloria Butler)

This legislation allows children suffering from asthma to administer medication on their own at school without having to make a trip to the nurse's office. The measure requires the child to have a prescription from a doctor and permission from their parents to use the inhalers themselves. Each local school board shall adopt a policy authorizing the self-administration of asthma medication. The measure provides for an exemption from liability for employees of school districts which adopt such a policy.

Status: Effective July 1, 2002

SB 476 Consumers' Health Insurance Protection Act (Sen. Steve Thompson)

This measure was part of the Governor's legislative package; it requires insurance companies to have staff available 24 hours a day to authorize certain non-emergency treatments. Insurance companies must make staff available to authorize procedures that are not emergencies but might be necessary after normal business hours or on weekends. The bill limits insurance companies to an 18-month window in which they can request a refund from a doctor on a claim submitted within 90 days of services, gives consumers 60 days to continue using a physician after a doctor's contract with an insurance company has been canceled and makes coverage for pregnancies apply throughout the pregnancy and up to six weeks after the birth.

Status: Effective October 1, 2002; Section 8 effective July 1, 2002

SR 677 Senate Study Committee on Student Health Screenings (Sen. Gloria Butler)

The resolution creates the Senate Study Committee on Rules and Regulations for Eye Screenings and Examinations of Students Entering the State Funded Pre-Kindergarten and Kindergarten Programs and First Grade in the Public Schools. Proper and accurate screening and subsequent treating of physical health problems and physical challenges is essential in promoting academic achievement. The committee will be composed of three members of the State Senate.

Status: Effective upon appointment of members

HB 1021 Dredging and Placement of Beach Quality Sand (Rep. Burke Day)

This bill requires that, when dredging is done along coastal waters to maintain shipping channels, beach-quality sand removed from the channel during the dredging must be placed on Georgia's coastal beaches rather than on a dredge spoils site.

Status: Effective June 1, 2003

HB 1030 Regulation of Land Applying Septic Tank Waste (Rep. Alan Powell)

Language from this bill was amended onto HB 1406, which passed both legislative chambers. It will require that all septic tank waste which is pumped and hauled for disposal via land application, be regulated by permit. Depending on the size of the operation, that permit will come either from the Department of Human Resources (local health department) or the Environmental Protection Division, and prior to receiving a permit, any such new operation must obtain a letter of approval from the county to permit that business within the county.

Status: Effective July 1, 2002

HB 1163 Bonds for Septic Installers and Pumpers (Rep. Ron Dodson)

This bill requires septic tank installers and pumpers to secure a single \$10,000 code compliance bond to cover the installer regardless of the county or city in which he or she does septic installation or pump work. The bond would be accessible to pay for property damaged as a result of the installer's work not complying with local codes.

Status: Effective July 1, 2002

HB 1406 Hazardous Waste Trust Fund Reauthorization (Rep. Tom Shanahan)

This bill increases the funding mechanisms which support the Hazardous Waste Trust Fund (HWTF) and reauthorizes them until 2013. The funding mechanisms include a fee paid per ton of solid waste that is disposed in Georgia, and fees paid on hazardous waste generation, handling and reporting. Solid waste fees, where local governments typically pay into the HWTF due to publicly-owned landfills, will increase from \$.50 / ton to \$.65 / ton in 2003, and will increase again to \$.75 / ton in 2008. All Georgia landfills will be able to keep 2% of this fee to offset administrative costs of collecting it on behalf of EPD. In addition, half of the revenue collected annually from the solid waste fees will be earmarked specifically to clean up publicly-owned hazardous sites (such as landfills which have contaminated groundwater associated with them.) This bill also changes the current brownfields law by allowing limited liability for purchasers who redevelop and clean up contaminated properties by meeting soil standards. As an incentive for redevelopment, groundwater cleanup would not be required on these properties.

Status: Effective July 1, 2002, except for the section of the law dealing with increased fees, which will become effective on July 1, 2003.

SB 438 Georgia Greenspace Program Amendments (Sen. Steve Thompson)

This bill requires that, for counties which receive appropriations in excess of \$500,000 from the Georgia Community Greenspace Program (Chatham, Cherokee, Clayton, Cobb, DeKalb, Fayette, Forsyth, Fulton, Glynn, Gwinnett, Hall and Henry counties), 10% of the county appropriation must be held aside to provide competitive matching grants to the municipalities within those counties which raise their own greenspace funds. The purpose is to use the matching grants as an incentive to the cities to increase their serious participation in the Greenspace program, keeping in mind that city greenspace can be counted by the county toward the county's 20% greenspace preservation goal. Should no cities choose to compete for the grants by the end of the year, the 10% will revert to the county for its use. This will affect grants for FY 2003, but not FY 2002's grants.
Status: Effective July 1, 2002

PUBLIC SAFETY

[Staff: Clint Mueller]

HB 696 Open Records: Exemption for 911 Records / Requests in Writing (Rep. Ken Birdsong)

This bill would have allowed E911 centers to withhold from open records any public record containing information which would reveal the name, address, or telephone number of a person placing a 911 call.
Status: VETOED

REVENUE & FINANCE

[Staff: Clint Mueller]

Governor's Homeowner Tax Relief Credit - \$353 Million:

The Governor has set aside these funds to reimburse local governments for the Homeowner Tax Relief Credit. This will raise the statewide homestead exemption from the current amount of \$8,000 to \$10,000. The Governor has included an additional statewide homestead credit for city property taxes. When the homestead credit has been fully implemented, a homeowner with a house worth \$50,000 will not owe any county, school, city or state property taxes.

HB 337 Limitations on Tax Sales (Rep. Glenn Richardson)

This law prohibits tax commissioners from selling tax executions (Fi. Fa.s). Once a property is sold at a tax sale, the tax commissioner will have the option to file an interpleader action in superior court if there are any excess funds and the rightful owner of those funds is not immediately known by the tax commissioner. When an interpleader is filed, the court will determine all legitimate claims against excess funds from the sale and the priority for dispersing those funds. After a property is sold, the original owner has a one year right of redemption. The new law reduces the redemption fee from 20% of the property's sale price to 10% in the second year after the sale and eliminates the 20% charge to cover the cost

of making the necessary examinations to determine the persons upon whom notice should be served

Status: Effective May 21, 2002

HB 547 Waive Interest on Late Payment of Property Taxes (Rep. Douglas Dean)

This law allows a tax commissioner, with approval of the county commission, to waive interest owed on unpaid taxes if the tax commissioner reasonably determines that the default giving rise to the penalty and interest was due to reasonable cause and not due to gross or willful neglect or disregard of the law.

Status: Effective July 1, 2002

HB 1026 Conforming Georgia Public Revenue Code to the Internal Revenue Code (Rep. Thomas Buck)

This law updates Georgia's income tax code bringing it into conformity with the Internal Revenue Code as of January 1, 2002. This means Georgia has adopted the Federal Economic Growth and Tax Relief Reconciliation Act of 2001. Among other benefits, state and local government employees participating in a section 457 plan will be able to contribute up to \$15,000 a year, up from \$8,500 in 2001.

Status: Effective April 18, 2002

HB 1278 Removing Members of the Board of Tax Assessors (Rep. Anne Mueller)

This law defines when a member of the county board of tax assessors has failed to perform his or her duties and is thereby eligible for removal at the request of the board of commissioners. A failure of a member of the board of tax assessors to properly perform his or her duty occurs when a pattern of substantially incorrect assessments or substantially inconsistent tax assessments between similar properties can be shown.

Status: Effective July 1, 2002

HB 1312 Sales Tax Holiday (Rep. Ron Borders)

This law creates two sales tax holidays this year only. The first sales tax holiday was held on the last Friday and Saturday in March the next holiday will be held on the first Friday and Saturday in August. Items exempt during each sales tax holiday are clothing items up to \$100, school supplies up to \$20 per item, and computer equipment up to \$1,500 that is purchased for personal use. State and local sales taxes are included in the tax holiday.

Status: Effective March 5, 2002

HB 1391 and HR 364 Ad valorem Tax Exemptions for the Commercial Fishing Industry (Rep. Jerry Keen)

If passed in a statewide referendum, HB 1391 will exempt commercial fishing vessels from ad valorem taxes and HR 364 will create a separate class of property for commercial fishing docks. If a new class is created for commercial fishing docks, legislation will be introduced next year to assess these docks at only 20% of their fair market value.

Status: Subject to ratification in November 2002 general election

HB 1444 Hospitals Eligible for SPLOST Funds (Rep. Hugh Broome)

This law allows Fulton and DeKalb County to levy an additional 1% local option sales tax for water and sewer capital projects if passed in a local referendum. Any sales tax levied under this new law would exempt hotel and vehicle sales. The second section of this law allows counties to use SPLOST to fund capital projects for hospitals which are owned by a county or hospital authority and are operated by a county, hospital authority, or 501(c)(3) nonprofit through contract.

Status: Effective July 1, 2002

HB 1519 Business and Occupation Taxes: Challenging Regulatory Fees (Rep. John Yates)

Section 4A of this Act provides for the award of reasonable attorney's fees to the prevailing party in a court challenge of the regulatory fees charged by a local government.

Status: May 14, 2002

HB 1564 Criminal Penalties for Failure to Pay Hotel/Motel Taxes Due (Rep. Terry Johnson)

This law creates a misdemeanor penalty for an innkeeper who fails to pay hotel/motel taxes due if the tax liability is \$10,000 or less. For unpaid tax liabilities of more than \$10,000 a felony penalty is created.

Status: July 1, 2002

HR 1073 Create Separate Class of Property for Low Income Building Projects (Rep. Tom Buck)

This resolution creates a separate class of property for qualified low income building projects. If passed in a statewide referendum, a bill would be introduced next year to assess Section 42 housing properties at less than 40% of fair market value.

Status: Subject to ratification in November 2002 general election

HR 1111 Property Tax Break for the Cleanup of Environmentally Contaminated Property (Rep. Tom Shanahan)

This resolution creates a separate class of property for environmentally contaminated properties. Owners of contaminated property, who were not responsible for creating the contamination, could recover their costs for cleanup by receiving a temporary exemption equal to the increased value of the property resulting from the cleanup. This law would provide an incentive for redeveloping "brownfields" and provide new tax revenues to counties in the future.

Status: Subject to ratification in November 2002 general election

**STATE APPROPRIATIONS
FOR THE FISCAL YEAR BEGINNING
JULY 1, 2002**

**ECONOMIC DEVELOPMENT &
TRANSPORTATION**

FY03 Budget:

Department of Community Affairs

- Georgia Regional Transportation Authority - \$200,000: funds to be used for the start-up costs associated with implementing new Developments of Regional Impact (DRI) review process for GRTA.

Department of Industry, Trade and Tourism

- OneGeorgia Authority - \$65,430,712 (\$31 million increase over FY 02): funding from the state's annual tobacco settlement receipts for economic development projects in rural Georgia.

Department of Transportation

- LARP (Local Assistance Road Program) - \$26,076,690: The General Assembly did not appropriate additional funds for LARP in the SFY 2003 budget beyond the Governor's recommendation of \$26 million. However, as reported in an earlier edition of the *Legislative Update*, counties are grateful for the accelerated funding that the Governor has directed to GDOT for local road projects through a bonding package. From the Governor's accelerated bonding package, \$150 million has been set aside for local roads with \$60 million being distributed on the LARP formula toward counties' priority lists. Since, this additional funding is only guaranteed for FY 2003, ACCG will continue its efforts to secure adequate local transportation funding for programs such as LARP.
- Airport Aid Program - \$250,000: funding for pavement maintenance/runway repairs at the state's publicly owned airports. This funding is significantly less than the 12.5 million requested by DOT. Increased funding is needed to adequately address the ongoing capital and maintenance needs of Georgia's public airports, as conditions at the airports are rapidly deteriorating.
- State Fund Construction Project Categories - \$26,000,000: The specific funding for each construction project category (on system, off system and most needed) is currently uncertain. The Office of Planning and Budget is still reviewing the FY03 budget and considering necessary adjustments.
- Mass Transit Grants - \$3.9 Million: State matching funds that will be used to leverage additional federal funding for transit project enhancements across Georgia.

Amended SFY02 Budget

Department of Community Affairs

- Georgia Regional Transportation Authority – \$50,000: funds to be used for the start-up costs associated with implementing the new Developments of Regional Impact (DRI) review process for GRTA.

Department of Industry, Trade and Tourism

- Tourism Initiative – \$1,100,000: funds to implement a special tourism marketing initiative to attract visitors to Georgia.
- Quick Start Program – \$589,121: to provide employee-training services to new and expanding industries at no cost.

Department of Transportation

- Governor’s Road Improvement Program (GRIP) – \$137,500,000: 20-year bonds to continue construction of four-lane highways included in GRIP. \$11,550,000 allocated in FY02 for debt service.
- Atlanta Multi-Modal Passenger Terminal – \$2,575,000: 20-year bonds to acquire the right of way and begin site preparation for the phased implementation of the Atlanta Multi-Modal Passenger Terminal. This project is intended to facilitate the development of commuter rail, which will reduce the number of private passenger vehicles on metro-Atlanta freeways and help the region comply with air quality standards. \$216,300 allocated in FY02 for debt service.
- State Fund Construction Project Categories – \$23,405,508: The three state fund construction project categories would receive increased motor fuel tax funds as follows: On System - \$17,917,679; Off System - \$500,000; Most Needed - \$4,987,829. This funding would bring the total appropriations for FY 2002 to \$32,000,000 each for the On and Off System and \$31,522,954 for the Most Needed category. Funding for county road construction projects come from the Off System category.

GENERAL COUNTY GOVERNMENT

Indigent Defense Council

- \$6.29 million for the Grants to Counties program
- \$238,000 for the Improvement program to enhance indigent defense services

HEALTH & HUMAN SERVICES

Department of Community Health

- Eliminate (\$2,126,097) for Medicaid program expansion for children in families with incomes up to 150% of the federal poverty level
- Eliminate (\$1,357,477) for non-emergency transportation rate increase

- Eliminate (\$500,000) for a Medicaid buy-in program for the working disabled
- Eliminate (\$4,651,943) for the second year of Medicaid coverage for persons transitioning from TANF eligibility to work
- \$235,613,997 to increase state funding for Medicaid Benefits for cash obligations for current year claims
- \$1,339,678 to increase Independent Care Waiver Program rates for personal support services by 10%
- \$1,015,814 to reflect an increase for adult and children’s dental services by applying a 3.5% inflation to existing rates
- \$587,500 to begin implementing programs to address the allied healthcare workforce shortage
- \$294,250 additional funds for SB 195 for rural hospitals
- \$27,107,880 to increase state funding for PeachCare for Kids benefits for cash obligations for current year

Department of Human Resources

- Eliminate contract funds for education for the elderly on legal issues (\$284,148)
- Reduce contract funds for Family Connection technical assistance to local collaboratives (\$404,800)
- Reduce funds for one quarter of the FY 2002 enhancement funding for Home and Community Based Services Program (\$1,000,000)
- Eliminate FY 2002 enhancement funds for Babies Born Healthy (\$1,902,750)
- Eliminate FY 2002 enhancement funds for one district epidemiologist (\$100,000)
- Eliminate contract for Suicide Prevention (\$350,000)
- Reduce Grant-in-aid by 5% for each of the 159 public health departments (\$3,500,000)
- Eliminate partial funding for Healthy Farmers program (\$100,000)
- Eliminate contract funds for residential treatment for MR adolescents (\$600,000))
- Close the children’s unit at Atlanta Regional Hospital (\$936,064)
- Reduce community-based funding in MHMRSA (\$610,858)
- Reduce hospital-based personal services in MHMRSA (\$695,296)
- \$144,213 to draw down the full allotment of federal Family Caregiver funds (Total funds: \$2,327,795)
- \$1,601,368 to support the state’s ability to react to bioterrorism: 3 epidemiologists; emergency coordinator positions; state level epidemiologist, emergency coordinator and molecular biologist; operating expenses to expand the state’s diagnostic testing capabilities; and develop an integrated statewide trauma system
- \$6,254,592 to fund an array of services to support both children and families in foster care

- \$4,352,129 to add 90 staff and 10 supervisors for the second year plan to reduce child protection worker caseloads
- \$1,880,000 for the Georgia Early Learning Initiative (GELI) to improve the quality of child care through pilot projects and technical assistance
- \$2,412,290 to provide intensive family intervention services in homes, schools and other community locations for families with seriously emotionally disturbed children (SED)
- \$500,000 to fund a 30 bed substance abuse treatment center in Macon
- Reduce tobacco fund expenditures for smoking prevention and cessation contracts (\$5,750,000)
- \$1,021,660 additional tobacco funds for the Cancer State Aid Program to cover medical expenses for uninsured cancer patients

Department of Juvenile Justice

- Cancel the proposed Emergency Shelter Program (\$656,267)
- Eliminate the contract for Communities in Schools for staff development of education programs (\$350,000)
- \$1,253,673 to fund 24 full-time and 7 part-time nurses to provide facility-based medical mental health care
- \$206,187 to fund 3 regional mental health coordinators to develop and monitor mental health services

Board of Regents

- \$1,530,000 to apply the ICAPP Advantage model to Health Professions and fund strategic response initiatives
- \$1,500,000 tobacco funds for equipment for eminent scholars, clinicians and professionals

- Reduce Cooperative Extension Service funding (\$1,925,685)
- Funding for 45 positions that were previously funded by a federal block grant - \$1,879,922

PUBLIC SAFETY

Department of Corrections

- \$3,749,347 to open 350 new transitional and diversion center beds. This additional capacity should help the state remove some of their inmates currently being housed in county jails.
- \$1,511,876 is part of the Governor's recommended package to protect the state against terrorism includes creating 22 new positions for the Georgia Bureau of Investigation, 16 new positions for the Georgia Emergency Management Agency, and 6 new positions for the Department of Public Safety. These newly created positions will assist in homeland security efforts. (GBI - \$675,792 - 22 positions, GEMA - \$357,833, DPS - \$478,251 - 6 positions)
- Reduce Public Safety Training by \$603,000. There were several cuts to the Georgia Public Safety Training Center's budget, and cuts in training to the Georgia Emergency Management Agency. These cuts will reduce the amount of training programs available to police, fire and other public safety officers. At a time when local governments need more specialized training to help protect citizens from incidents of terrorism, the state is cutting training instead of creating new courses that could prepare local public safety officers to respond to new threats that exist. The state is providing increased levels of funding to enable state agencies to better respond to terrorism, however, the success or failure of a response to a terrorist incident primarily falls on the local governments because they are the first responders.

**All bills can be accessed and downloaded through ACCG's website:
www.accg.org or by calling:**

**Clerk of the House: (404) 656-5015 for House bills and resolutions
Secretary of the Senate: (404) 656-5040 for Senate bills and resolutions**