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Weekly Legislative Report #1

Week Ending January 13, 2017

The Georgia General Assembly opened up its 2017 session on Monday with the usual pomp and circumstance appropriate to the occasion. They then cranked out four legislative days during the week, getting down to the nitty gritty business of introducing new legislation, posturing on controversial issues and considering budgets. (FY 17 amended gets attention first, followed in a couple of weeks by FY 18.) Here are some of the highlights:

Independence Illustrated

Speaker David Ralston (R-Blue Ridge) began asserting the House's independence when he addressed his colleagues from the podium on Day One. The news media, perhaps hoping for some controversy to cover, rushed to the Governor's office for comment. But the issue was diffused when Chief of Staff Chris Riley simply said, "That's an appropriate comment for a person in his position." But if you're wondering what the Speaker really means about the House being independent, consider the following situation.

Governor Nathan Deal vetoed the "campus carry" gun legislation last year because the General Assembly failed to include some exceptions he had requested. Among the biggest opponents of campus carry legislation were Chancellor Hank Huckaby and the Board of Regents. Huckaby has since retired, but his protégé and replacement, Steve Rigley, faces a real dilemma. The Chairman of the Higher Education Committee in the House, Carl Rogers (R-Gainesville), also retired, and Speaker Ralston named Rick Jaspers (R-Jasper) to replace him. Thus, the author of the campus carry legislation is now also Chairman of the House Higher Education Committee. How hard does the Chancellor fight a bill sponsored by the chairman of the committee considering all higher ed legislation? That says "independence" for the House in a big way.

Accentuate the Positive

And, of course, the Governor had his say about things on Wednesday when he delivered the State of the State address to a joint meeting of the House and Senate with black-robed Supreme Court and Appeals Court judges thrown in for good measure. Relying on song-writer Johnny Mercer's advice to "accentuate the positive," Deal had a lot to say about the good things going on in the

state. He also promised all state employees and school teachers a 2% pay raise beginning July 1. That's on top of the 3% raise most got in the current budget. (Some local school boards did not pass along pay raises to their teachers last year, instead reducing furlough days or such. This year's pay increase is slated to be inserted directly into teacher pay scales.)

Deal told legislators that he would continue to focus on the acute problem of failing school districts, but did not go into details about his plans following the defeat at the polls last November of his Opportunity School District constitutional amendment. More than 50% of Georgia's annual budget goes toward education at one level or another.

On the healthcare front, the Governor said Georgia will soon complete a three-year plan to bring Georgia's Medicaid physician reimbursement rates in line with federal Medicare rates. He also asked legislators to quickly approve legislation that extends for another three years the Medicaid provider fee paid by hospitals. The fee brings in an estimated \$311 million from hospitals and nursing homes, money which is then used to draw down another \$600 million in federal funds for Medicaid. Deal is also recommending that the General Assembly enhance both Medicaid and State Health Benefit Plan coverage to include the treatment of autism up to the age of 21.

Following Deal's State of the State address, his top staff held a press conference to release his budget recommendations. Both the FYA 17 and FY 18 budget recommendations are available for perusal at [this link](#). Click on your preferred fiscal year at the bottom of that page.

There are a couple of pie charts on page 17 (revenues) and page 23 (expenses) that will give you the big picture breakout of the budget, which comes in at a hair under \$25 billion in state dollars.

Transportation Transitions

Since the passage of HB 170 (fuel tax) in 2015, the state of transportation infrastructure in Georgia has been in transition . . . and this week so have the people who deal with transportation policy and funding. Former House Transportation Committee Chair Christian Coomer (R-Cartersville) gave up that post to become the House Majority Whip. He has been replaced by Rep. Kevin Tanner (R-Dawsonville). Additionally, House Speaker David Ralston created a new Appropriations Subcommittee for Transportation to be chaired by Rep. Jason Shaw (R-Lakeland). According to Ralston, part of the Shaw's subcommittee's duties will be looking at transit options to encourage economic development. (Yes, you remember correctly, Shaw's late father, Jay, was a mayor, state rep and member of the GDoT board.) On the Senate side, Brandon Beach (R-Alpharetta) was named chairman of the Transportation Committee, replacing the retiring Tommie Williams (R-Lyons). Beach is an avid supporter of mass transit as a way to attract new business and economic development projects.

Post-ACA Committee

Lt. Gov. Casey Cagle has appointed four senators to a special committee that will advise legislators on how to cope with the changes that result from the expected repeal of the Affordable Care Act by Congress. The Health Care Reform Task Force members include Sens. Renee Unterman (R-Buford), Dean Burke, MD (R-Bainbridge), Ben Watson, MD (R-Savannah), and Judson Hill (R-Marietta).

New Floor Leaders

Gov. Deal announced several new Administration Floor Leaders for this session.

Reps. Chuck Efstrotation (R-Dacula) and Trey Rhodes (R-Greensboro) will join returning floor leader Rep. Terry Rogers (R-Clarkesville) to help shepherd the Governor's legislation through the (independent) House.

In the Senate, Deal's current floor leader, Sen. Butch Miller (R-Gainesville), will be joined by Sens. P. K. Martin IV (R-Lawrenceville) and Larry Walker III (R-Kathleen). If that last name sounds familiar, you're right again. Walker is the son of Larry Walker II, a current member of the Board of Regents who served in the House for 32 years.

New Rules

The Georgia Senate passed internal rules for its own body this week, but the ramifications could potentially impact any piece of legislation. In recent years, crossover day has been the 30th legislative day, by which time any bill must have passed out of its house of origin. The Senate has changed that to 28 days this session after consultation with House leadership. The House has 180 members, three times as many as the Senate. Thus, the House churns out roughly three times as many bills. Senators wanted more time to vet bills that get sent over with only 10 days left in the session. That period is now 12 days. (We understand the House will follow suit without a formal rule.)

Additionally, the Senate has passed a rule that in effect says they will adjourn sine die at midnight on the 40th legislative day unless an electronic vote is actually in process come the bewitching hour. In that case, the vote will be allowed to conclude and count.

College Consolidations

It didn't really have much to do with the first week of legislative activity, but in case you are an alumnus or supporter, the Board of Regents this week announced that two smaller public institutions will be absorbed into two larger state schools. Armstrong State University in Savannah will be absorbed by Georgia Southern University in Statesboro, while Bainbridge State College will become a part of Abraham Baldwin Agricultural College (ABAC) in Tifton.

Tracking List

Here are the bills we are tracking. **New activity is noted in red.** Click on the [Bill Number](#) to access the current version of the bill.

The 2017 Legislative Session is the first session of the 2017-2018 Term of the Georgia General Assembly. Therefore, bills not passed or defeated during this session will be carried over to the 2018 session. Bills pending in the House or Senate Rules Committees at adjournment sine die of the 2017 session will be recommitted to the committee from whence they came.

Aging and Adult Services

[SB 12, Dental hygienists practice.](#) (Sen. Renee Unterman-R)

Regulates the practice of dental hygienists when the supervising dentist is not in same building. **Status:** House hopper

City & County Governments and Regional Commissions

[HB 33, Require individuals appointed to local authorities and boards have lawful status.](#) (Rep. Brad Raffensperger- R)

Relating to counties, municipal corporations, and other governmental entities; so as to require that individuals appointed to authorities, boards, councils, and commissions be United States citizens or nationals, lawful permanent residents, or aliens having lawful status to be present in the United States; to provide for other residency requirements. **Status:** Referred to Judiciary Cmte

[HB 42, Authorize election superintendents to correct mistakes and omissions on ballots for a primary or election.](#) (Rep. Eddie Lumsden - R)

Relating to elections and primaries generally, so as to authorize election superintendents to correct mistakes and omissions on ballots for a primary or election. **Status:** Referred to Governmental Affairs Cmte

[SB 2, "The FAST Act - Fairness, Accountability, Simplification, and Transparency - Empowering Our Small Businesses to Succeed".](#) (Sen. Mike Dugan-R)

Relating to general provisions applicable to counties and municipal corporations, general provisions regarding professions and businesses, and state government, respectively, so as to enhance accountability and notice requirements for agency rule-making so as to reduce regulatory burdens on businesses. **Status:** Referred to Economic Development and Tourism Cmte

Health – General

[HR 14, Create a Joint Study Committee on the Creation of High-Tech Health Incubators for Job Growth.](#) (Rep. Brad Raffensperger- R)

Creating the Joint Study Committee on the Creation of High-Tech Health Incubators for Job Growth for Georgia; and for other purposes. **Status:** Referred to Special Rules Cmte

[HB 65, Change conditions and eligibility for Low THC Registry.](#) (Rep. Allen Peake-R)

Change provisions relating to conditions and eligibility; to provide a definition; to remove certain reporting requirements for the Low THC Registry. **Status:** House hopper

[SB 16, Change conditions and eligibility for use of low THC Oil.](#) (Sen. Ben Watson- R)

Relating to the regulation of low THC oil and the establishment of the Low THC Oil Patient Registry, definitions, purpose, registration cards, quarterly reports, and waiver forms, respectively, so as to change the definition of low THC oil; to change provisions relating to conditions eligible for use of low THC oil. **Status:** Referred to Health and Human Services Cmte

Health – Public Health

[HB 28, Test for lead contamination in drinking water, public and private schools.](#) (Rep. Billy Mitchell-D)

To require testing of drinking water in public and private schools for lead contamination; to provide for remediation plans or alternate sources of drinking water. **Status:** Referred to Education Cmte

[HB 38, Issuance of license for three-wheeled motor vehicle.](#) (Rep. Alan Powell-R)

Provide for the issuance of a noncommercial Class C driver's license for the operation of three-wheeled motor vehicles equipped with a steering wheel for directional control; to provide for the issuance of a noncommercial Class M driver's license for the operation of motorcycles equipped with handlebars for directional control. **Status:** Referred to Motor Vehicles Cmte

Hospitals

[HB 54, Provide an additional reporting requirement for indigent care in rural hospitals; change certain amounts eligible for tax credit.](#) (Rep. Geoff Duncan-R)

Relating to hospital care for the indigent generally, so as to provide for an additional reporting requirement for rural hospitals; make changes relating to the imposition, computation, rate, and exemptions from income taxes. **Status:** Referred to Ways & Means Cmte

[SB 8, Surprise Billing and Consumer Protection Act.](#) (Sen. Renee Unterman-R)

To provide for disclosure requirements of providers, hospitals, and insurers; to provide for billing and reimbursement of out-of-network services; to provide for procedures for dispute resolution for surprise bills for nonemergency services; to provide for payment of emergency services; to provide for an out-of-network reimbursement rate workgroup. **Status:** House hopper

[SB 14, Clarify the amount of a state income tax credit for rural hospitals.](#) (Sen. Dean Burke-R)

Relating to imposition, rate, computation, and exemptions from state income taxes, so as to clarify the amount of an exemption for certain entities under the contributions to rural hospitals income tax credit. **Status:** Referred to Finance Cmte

Pharmaceuticals

[HB 30, Add synthetic opioid to Schedule I Controlled Substances.](#) (Rep. Kevin Tanner-R)

Relating to Schedule I controlled substances, so as add a synthetic opioid to Schedule I. **Status:** Referred to Judiciary Non-Civil Cmte

[HB 35, Pharmacy benefits managers required to confirm receipt of prior approval request within 48 hours.](#) (Rep. Bruce Broadrick-R)

Relating to regulation and licensure of pharmacy benefits managers, so as to require confirmation of receipt of prior approval requests for prescription drugs within 48 hours. **Status:** Referred to the Insurance Cmte

Taxes

[HB 59, Tax credits for rehabilitation of historic structures.](#) (Rep. Ron Stephens-R)

Changes to tax credits for the rehabilitation of historic structures, so as to revise procedures, conditions, and limitations. Status: House hopper