

# FINAL LEGISLATIVE UPDATE

By Michael Shelnett

The 2011 Session of the Georgia General Assembly began with a lot of new faces around the Capitol. The elections of 2010 saw a new Governor come to power as well as all new state constitutional officers. In the Legislature we witnessed the elections of thirteen new Senators and thirty-seven new House members, with Republicans having their greatest majority in either chamber in the state's history.

The New administration's only major initiative was a plan to re-calculate how the state's lottery funded college scholarship (HOPE) is funded and awarded to students. In recent years, the proceeds from the sale of lottery tickets have not kept up with demand by enrollments. Legislation was needed to keep the program in place. Ultimately the main component of the bill reduced the scholarship from 100 percent to 90 percent of tuition for qualifying students.

The second and most controversial measure to come before the Legislature this session was the overhaul of the state's tax code. In the 2010 session, the General Assembly passed legislation creating a Special Council on Tax Reform. The Council met throughout the summer and fall of last year and produced its findings in January of 2011. The Council recommended that the state scrap many of its tax exemptions, such as the sales tax on food, and institute several more broad based consumption taxes allowing the lowering the state income tax. The Council's recommendations were pared down considerably, however in the end House and Senate leadership were unable to convince enough members that the proposal would not result in a net tax increase for many. There was no tax reform this session.

As far as the fire service is concerned, we went into the 2011 session with one objective and that was to change the state's indemnification law for public safety employees. We had attempted this last year and the bill was vetoed by the Governor. This year the bill was reintroduced and looks to have the support of the new administration.

## Bills of interest:

1. Senate Bill 58 - Sponsored by Senator Albers

S. B. 155 combined with S. B. 58. S. B. 58 increased the indemnification benefit to DOT employees injured to killed in the line of duty. This legislation passed and now goes to the Governor to sign.

The bill (the Jarrett Little Act) is identical to the one the Senator Mullis introduced last year and was vetoed by Governor Perdue. It changes the

indemnification law so that a single person killed in the line of duty shall qualify and their family (parents/siblings) may receive benefits. It also changes the clause that a dependent be claimed on the deceased's person's tax return.

#### **2. S. B. 186 - Sponsored by Senator Mullis.**

The compromise version of this legislation passed out of the House Public Safety & Homeland Security Committee, but was recommitted on the last day of the session. It will remain there and be alive next session. There was thought from the House leadership that the bill had been hastily written as well as some concern that the creation of a new agency would cost the state additional funds and not save money. House leadership said that they would like to have the Governor's Office of Planning and Budget take a look at the proposal over the summer and come back with an improved bill next session.

This bill consolidates the duties currently assigned to the state's Safety Fire Commissioner, the Firefighter Standards and Training Council and the Georgia Fire Academy into a single agency to be known as the Department of Public Safety.

#### **3. House Bill 247 - Sponsored by Rep. Neal**

This legislation was amended to S. B. 76, which dealt with the Georgia Trauma Care Commission and passed on day 40.

The bill authorized the Department of Community Health to require fingerprinting and criminal background investigations of all applicants for licensure and currently licensed emergency medical services personnel. After objection by the Boards of the GSFA and GAFC, the legislation was amended so that if someone has already undergone a criminal background check, they may be exempted from this requirement by supplying an affidavit attesting to such.

#### **4. House Bill 256 - Sponsored by Rep. Willard**

This legislation passed on day 40. This legislation changes the way in which 9-1-1 prepaid wireless charges are collected and disbursed. Under current law the phone company who provides the service for the phone pays the 9-1-1 fee. The fee is then going into the state treasury's general fund and not being paid back out to local governments. H. B. 256 changes the system so that the fee is assessed at the point of sale, much like a sales tax and then is sent in to the state Revenue Commissioner, who will then disburse it back to local cities and counties that have 9-1-1 systems.

The Legislature will come back into special session to draw new legislative maps on August 15th.

## IMPORTANT ANNOUNCEMENT

The GSFA Firefighter Newsletter is now being done electronically, and the printed copy has been discontinued. If you are reading this issue, of course we have your email address. If you know of anyone in your department who is not receiving our electronic publications, please encourage them to send us their email address. Also, if your fire department is not receiving its own copy of the newsletter, encourage them to 1) send us their address, and 2) that they request their IT people to remove any block they may have for receiving emails so that the newsletter can get through.

Send all email addresses to: [gsmith3809@aol.com](mailto:gsmith3809@aol.com).

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