

LEGISLATIVE REPORTER

FIRE SERVICE LEGISLATION SOUGHT IN 2009

SPECIAL POINTS OF INTEREST

- **Focus on Bills of Interest To The Fire Service**
- **How A Bill Is Passed In The Georgia Legislature**

the State's open record law to cover firefighters and EMS personnel.

2) Training Center Issues

Last week the Governor unveiled his 2010 budget to the General Assembly. Currently the Legislature **must cut two billion dollars** from current spending levels in order to balance the budget. In order to meet his numbers the Governor recommended that the \$500,000 officer development program run by the Public Safety Training Center be canceled for year 2010. **Their reasoning is that the Fire Academy's essential function is to train firefighters to fight fires and not leadership training.** We have met with all the chairs of the various public safety appropriations committees and expressed that it is

the feeling of the fire service that this program is essential to the mission of the Fire Academy and must not be cut. At this time the budget committees are in the process of working on the amended budget for 2009; once this is completed they will begin the task of the 2010 budget. At that time it will be incumbent on the fire service to stress the need for this program to every legislator.

3) Incentives for Volunteer firefighters (HB58)

This bill would allow a volunteer firefighter to take a \$1,000 deduction on his/her state income taxes. Rep. Gene Maddox (R-Cairo) introduced this bill last year but it got hung up in the Rules Committee. He has introduced it again, knowing that any piece of legislation that takes revenue away from the State is very unlikely to pass this

As Of January 23, 2009-

1) Amending the Open Records Act (SB 26)

This legislation is being sponsored by Senator David Shafer (R-Gwinnett Co). It amends

session, but hoping to get the idea on the minds of fellow legislators in hopes that next year's budget climate might be more favorable.

4) Make-up of the Board of Public Safety

We have talked to the Governor's staff to request that the fire service be given an additional recommendation to the Board of Public Safety. This change would need to be done by law. The Governor's staff said that they would study the issue and have an answer for us

within a couple of weeks. We should know something by the end of January. At that point we will introduce legislation.

Legislative Updates Prepared By:

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Legislative Update

As of February 11, 2009

Amending the Open Records Act (SB 26)

The legislation is being sponsored by Senator David Shafer (R-Gwinnett Co). It amends the state's open record law to cover firefighters and EMS personnel. **The bill passed the Senate Public Senate Committee by unanimous vote on Tuesday Feb 10th. It now goes to Senate Rules.**

Training Center Issues

We continue to make the case to legislators that eliminating the Fire Officer Development Program run by the Fire Academy is not wise and should be put back in the 2010 budget. Legislators seem to be sympathetic; however, budget writers are focused on the amended budget for 2009 and have yet to hold hearings on the 2010 budget.

Incentives for Volunteer firefighters (HB58)

The bill is sponsored by Rep. Gene Maddox (R-Cairo); it would allow a volunteer firefighter to take a \$1,000 deduction on his/her state income taxes. **The legislation was presented in Rep. Peake's Ways & Means sub-committee. There were some questions posed by members regarding the wording of certain portions of the bill and it was referred back to legislative counsel to be re-written. A new sub-committee will be held to hear the bill again.**

Make-up of the Board of Public Safety

We have talked to the Governor's staff to request that the fire service be given an additional recommendation to the Board of Public Safety. We are still waiting on the Governor's staff to inform us of their position on the bill.

GENERAL ASSEMBLY SESSION EXPANDED

The Senate and House have agreed to recess every Monday and Friday and only be in session on Tuesday through Thursday for the rest of February and most of March. Day 35 will be on March 25th; they will recess and not come back until June 22nd for day 36. The idea is to finish all their work by day 35 and only come back on day 36 to officially end the session, forgoing days 37 through 40. However, they are keeping the five days in case they need to readjust the budget, pending what may or may not happen with the stimulus bill in Washington. They may also use that time to override any vetoes that the Governor may sign.

Legislative Update

As of February 23, 2009

1) Amending the Open Records Act (SB 26)

This legislation is being sponsored by Senator David Shafer (R-Gwinnett County). It amends the state's open record law to cover Firefighters and EMS personnel. **The bill passed the full Senate 55 to 0, and now goes to the House.**

2) Training Center Issues

Senator John Douglas has said that he thinks that with the state receiving over 6 billion in aid from the federal stimulus, the legislature should be able to find \$500,000 to fund the Fire Officer Development program. He is personally going to lead the fight to restore the funds to the budget. The amended budget for 2009 should be completed this week and then hearings on the 2010 budget will commence.

3) Incentives for volunteer firefighters (HB 58)

The bill is sponsored by Rep. Gene Maddox (R-Cairo); it would allow a volunteer firefighter to take a \$1,000 deduction on his/her state income taxes. **The legislation has been re-worked by legislative counsel but has yet to be called for another hearing.**

4) Make up of the Board of Public Safety

The Governor's staff has never given us a definitive answer in support or against our idea, however they have said they have no problem with us dropping the bill. Rep. Willie Talton has agreed to carry the legislation and should drop it this week.

5) General Assembly Session expanded

The latest news is that the Senate and House will change their plans to stay in session until late June and instead plan on adjourning the first week of April.

Legislative Update

As of March 9, 2009

2) Amending the Open Records Act (SB 26)

This legislation is being sponsored by Senator David Shafer (R-Gwinnett County). It amends the state's open record law to cover Firefighters and EMS personnel. **The bill is in House Judiciary and will be taken up after day 30.**

2) Training Center Issues

The House sub-committee on Public Safety Appropriations held its first hearing on the 2010 budget last week. We had over 20 fire service personnel in attendance. Chief Craig Tully made a presentation before the committee. While no commitments were made, the committee stressed their desire to find the money to fund the Fire Officer Development Program.

3) Incentives for volunteer firefighters (HB 58)

The bill is sponsored by Rep. Gene Maddox (R-Cairo); it would allow a volunteer firefighter to take a \$1,000 deduction on his/her state income taxes. The legislation has been re-worked by legislative counsel but has yet to be called for another hearing.

5) **Make up of the Board of Public Safety**

This bill is being carried by Rep. Willie Talton and passed out of the House Public Safety committee late last week. It now is waiting to be placed on the Rules calendar.

5) **Novelty Cigarette Lighter (HB 535)**

This legislation is being sponsored by Rep. Burke Day (R Tybee Island). It tracks bills that have been passed in other states to ban the sale of novelty lighters.

6) **Other legislation of interest**

HB 515 by Rep Kathy Ashe (D Fulton) & SB 77 by Sen. Kasim Reed (D Fulton), identical bills, would allow a city to create a special tax district to raise funds to go to pay their public safety employees. HR 369 (Ashe) and SR 427(Reed) would allow a city that employees at least 1,500 police and firefighters combined to offer a homestead exemption of up to \$250,000 to those employees. These bills are an attempt to address the need of large cities to have their public safety personnel live within their limits. Right now, especially in the city of Atlanta, due to the low pay of public safety employees, most of them can not afford to live within the city.

7) **General Assembly Session will end in April**

The Senate and House passed a new adjournment resolution last week. April 3rd will be the 40th and last day of the 2009 session.

LEGISLATURE -GENERAL INFORMATION

The Georgia General Assembly, the formal title of the Legislature, was formed in 1777 and is older than the United States Congress. At the time of its origin, the Legislature consisted of a single house, but in 1789 it became a bicameral body, consisting of a House of Representatives and a Senate. The House of Representatives and Senate operated with similar powers except that appropriations bills must originate in the HOUSE, while confirmations of the Governor's appointments rests with the Senate.

The concurrence of both bodies is necessary before any bill may become a law. The house has 180 members and the Senate has 56. Two-year terms of Office apply to both houses, and the entire membership of each body is elected at the same time.

The House of Representatives, sometimes referred to as the lower house, is the larger of the two chambers. Its 180 members represent districts from across the state, and it is presided over by the Speaker of the House, who is elected by the entire membership. The Speaker has always been a member of the majority political party and has the power to schedule debates, to vote, and to assign members to committees. The current Speaker of the House, Glenn Richardson, was selected in 2005.

The State Senate is very similar to the House, but the Senate is a smaller body, with fifty-six members who represent districts from around the state. The chief officer of the Senate is the lieutenant governor. Unlike the Speaker, who is elected by the members of the House, the lieutenant governor is elected by all the voters of the state. Every two years, Georgia voters elect members of the Legislature. These elections occur in even-numbered years (e.g., 2002, 2004, 2006, etc). The qualifications for holding office in both houses, as well as the size of both chambers, are established in the Georgia state constitution.

The Assembly in Operation

Each January representatives congregate at the State Capitol for the start of the legislative session, which lasts for forty days, to deliberate matters of importance to the citizens of the state. The forty days are not always continuous, and during the time when the chambers are not in session, members generally work in committees or return home to meet with constituents. The General Assembly uses a committee system to accomplish its legislative tasks. Since they meet year round, even when the legislature is not in session, committees can consider proposed legislation at length and reach some form of consensus before the proposals reach the floor for a vote. Such a system allows legislators to specialize by concentrating on a few major topics and also allows the legislative process in Georgia to move more efficiently.

Introduction of Legislation

All legislation introduced in the General Assembly is classified as either a 'bill' or a 'resolution.' Bills are used to propose changes or additions to existing statutory law, while resolutions usually express legislative opinion or recognition on some matter and do not have the effect of a law. A bill becomes known as an 'act' or 'law' when it is passed by both houses in identical form and signed by the governor.

HOW A BILL IS PASSED IN THE GEORGIA LEGISLATURE

1. Legislator sees need for a new law or changes in existing law and decides to introduce a bill.

2. Legislator goes to Office of Legislative Counsel. There, attorney advises legislator on legal issues and drafts bill.

3. Legislator files bill with the Clerk of the House or Secretary of the Senate.

4. Immediately after 1st reading, presiding officer assigns bill to a standing committee.

5. In the house only, on next legislative day, Clerk reads bill's title (2nd reading) in chamber, although actual bill is now in committee. In Senate, 2nd reading comes after bill is reported favorably from committee.

6. Bill considered by committee. Author and other legislators may testify. If controversial, public hearings may be held.

7. Bill is reported favorably by committee and returned to Clerk or Secretary.

8. Clerk or Secretary prepares a General Calendar of bills favorably reported from committee. For first 15 days of session, presiding officer calls up bills from this calendar for floor action.

9. Starting with 15th day of session, the Rules Committee meets and from bills on General Calendar prepares a Rules Calendar for the next day's floor consideration.

10. For the last 25 days of session, presiding officer calls up bills from the Rules Calendar for floor consideration.

11. Once presiding officer calls bill up from Rules Committee, Clerk reads bill's title (3rd reading). Bill is now ready for floor debate, amendments, and voting.

12. After debate, main questions is called and members vote. If bill is approved by majority of total membership of that house, it is sent to the other house. If second house passes bill, it is returned to house where bill was introduced. If changes are accepted,

13. If first house rejects changes and second house insists, a conference committee may be appointed. If committee report is accepted by both houses,

14. Bill is enrolled and sent to the Governor (if requested). Otherwise, all enrolled bills sent to Governor following adjournment *sine die*.

15. Governor may sign bill or do nothing, and bill becomes law. Governor may veto bill, which requires two-thirds of members of each house to override.

16. Act and other laws enacted at the session are printed in the *Georgia Law* series. Also, act is incorporated into the Official Code of Georgia Annotated. Act becomes effective the following July 1, unless a different effective date is provided in Act.