

## MEMBER SERVICES

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## TOMORROW'S FORECAST

- \* The House will reconvene for its 2nd Legislative Day on Tuesday, January 15, at 10:00 AM.
- \* No bills are expected to be debated on the floor.



# GEORGIA HOUSE OF REPRESENTATIVES DAILY REPORT

Monday, January 14, 2008

1st Legislative Day

## TODAY ON THE FLOOR

### Veto Overrides:

#### **HB 69 - Driver's records; online; Department of Driver Services; charging fee; prohibit**

- This bill allows individuals to get a copy of their driving record from the Department of Driver Services' website, free of charge.
- **Authored by:** Rep. Bobby Franklin
- **House Committee:** Motor Vehicles
- **Motion:** Veto Override
- Yeas: 155 Nays: 18

#### **HB 91- Executive branch of government; certain reports; provide to General Assembly**

- This legislation provides detail on state agency spending by requiring each agency to submit annual reports to the Lt. Governor, the Speaker of the House, Senate and House Appropriations Committees, the House Budget and Fiscal Affairs Oversight Committee, the House Budget Office, and the Senate Budget Evaluation Office. The reports will include the following: a statement of tax revenues and operating revenues for each agency for the previous fiscal year; a statement of total expenditures made by the agency during the previous fiscal year; a list of all written contracts during the previous fiscal year for greater than \$50,000; a list of employment or consultant contracts if compensation is greater than \$20,000; a list of names of each person, firm, or corporation that has received greater than \$20,000 in the previous fiscal year; and a list of consultant expenses and other professional expenses.
- **Authored by:** Rep. Jill Chambers
- **House Committee:** Budget & Fiscal Affairs Oversight
- **Motion:** Veto Override
- Yeas: 157 Nays: 15

#### **HB 162 - Sales and use tax; performing arts amphitheater facilities; provide exemption**

- The purpose of HB 162 is to allow the Atlanta Symphony Orchestra a sales tax exemption in connection with construction of a performing arts facility in Alpharetta. HB 162 creates a sales tax exemption for sales of tangible personal property to or used in direct connection with the construction of a performing arts amphitheater facility owned or operated by a non-profit, for the time period of June 1, 2007 through June 30, 2008. Such a facility would be required to have costs in excess of \$30 million and more than 60,000 square feet of space, and must have associated facilities including parking. This exemption applies only to facilities which are constructed after the effective date of this bill.
- **Authored by:** Rep. Chuck Martin
- **House Committee:** Ways & Means
- **Motion:** Veto Override
- Yeas: 147 Nays: 22

## **HB 218 - Georgia Ports Authority; employees; power of arrest; peace officers; require**

- A bill related to the Georgia Ports Authority. This bill intends on changing certain provisions for the application of traffic laws and enforcement by security guards employed with the Georgia Ports Authority. It will change the designation of security guard to peace officer. This will require that those employees of the authority who are authorized to exercise the powers of arrest shall be certified peace officers subject to the Georgia Peace Officer Standards and Training Council.
- **Authored by:** Rep. Burke Day
- **House Committee:** Public Safety & Homeland Security
- **Motion:** Veto Override
- Yeas: 159 Nays: 14

## **HB 229 - Education lottery; book allowances; fee payments; impose certain limitations**

- House bill 229 will establish a true measure of decreasing lottery reserve funds prior to eliminating student funding. Under current law, students are in jeopardy of losing their book allowances if there is any decline in lottery funds for education. The legislation requires there to be an actual trend of less than 90% of a previous year-end budget before removing any funding currently issued to Hope Scholarship recipients. Under the new formula, during the first year all scholarships and grants for book allowances may not exceed \$150.00 per academic year. If the trend continues the next year, such book stipends will be suspended entirely. Further more, if lottery funds remain in a declined state, mandatory institution fees will no longer be covered by the Hope Scholarship. This legislation does not affect students eligible for the federal Pell Grant program. The Senate Substitute, agreed upon by the House, added language concerning the assignment of lottery winnings.
- **Authored by:** Rep. Ben Harbin
- **House Committee:** Appropriations
- **Motion:** Veto Override
- Yeas: 162 Nays: 11

## **HB 413 - Sales and use tax; joint county and municipal; change certain provisions**

- HB 413 provides for a sales tax exemption on property sold to or used in the construction of the Chattahoochee nature center. This bill is drafted to apply only to this nature center, by specifying that the nature center must be constructed on or after the effective date of this legislation, must be located on a parcel between 120 and 150 acres, and must have aggregate costs of \$8 million or more. This exemption shall not exceed \$350,000 in the aggregate, and this exemption will be applicable for the time period from April 1, 2007 to June 30, 2009.
- **Authored by:** Rep. Chuck Martin
- **House Committee:** Ways & Means
- **Motion:** Veto Override
- Yeas: 152 Nays: 18

## **HB 441 - Income tax; federal obligations; taxable income; revise provisions**

- The purpose of HB 441 is to repeal provisions of legislation passed in 2005 dealing with the tax liability computations on interest or dividends earned from US obligations, interest derived from international banking, and income from off-shore banking. Current law stemming from the 2005 legislation requires corporations to subtract direct and indirect expenses attributable to the production of income from US obligations before taking a deduction. This bill will provide for only direct expenses to be subtracted from the deduction, as was the law before the 2005 legislation was enacted. When the change to current law was made in 2005, the fiscal impact was expected to be a tax charge of about \$1 million, however that has actually been determined to have caused tax increases for our state and local banks in the amount of about \$12.5 million, which was not the intent of the legislature.
- **Authored by:** Rep. Johnny Floyd
- **House Committee:** Ways & Means
- **Motion:** Veto Override
- Yeas: 155 Nays: 16

## **HB 451 - Georgia Tourism Development Act; enact**

- The purpose of HB 451 is the promotion and development of tourism attractions in Georgia. The bill provides that companies seeking to undertake a tourism attraction project (real estate acquisitions, construction, utilities installation) may be granted a sales and use tax refund for state and local sales taxes generated by or arising at the tourism attraction. "Tourism attractions" may include cultural or historic sites, recreation or entertainment facilities, areas of natural phenomenon or beauty, convention hotels and conference centers, race tracks with lodging, and golf facilities with lodging. "Tourism attractions" may not include facilities primarily devoted to retail sales, shopping centers, restaurants, movie theaters, performing arts facilities, Georgia crafts and project centers, or recreational facilities that are not likely to draw overnight guests in commercial lodging facilities.
- The bill provides for the commissioner of economic development to establish standards for the filing of applications for tourism attraction projects by administrative regulations, and specifies what must be included in applications filed with this department. Such applications must include marketing plans, description and location of the project, capital and other anticipated expenditures and anticipated sources of funding, business plans indicating the average number of days per year

the project will be in operation, and anticipated revenues to be generated. Approval may be granted if the project shall attract at least 50% of its visitors from out of state residents, will have approved costs in excess of \$25 million, will have a positive impact on Georgia tax revenues (after refunds), will produce sufficient revenues and public demand to be operating at least 250 days per year, and will not adversely impact existing employment in Georgia.

- Upon approval of the application, the terms of the agreement between the company and the Department of Economic Development which grants the refund shall be ten years, and the total sales tax refund allowed over the term of the agreement is equal to the lesser of the total amount of sales tax liability of the approved company and its lessees or 25% of the approved costs for the project. The terms of such agreement must also include the projected amount of approved costs and the date the company will have completed the project and begun operations. "Tourism attractions" may include cultural or historic sites, recreation or entertainment facilities, areas of natural phenomenon or beauty, convention hotels and conference centers, race tracks with lodging, and golf facilities with lodging. "Tourism attractions" may not include facilities primarily devoted to retail sales, shopping centers, restaurants, movie theaters, performing arts facilities, Georgia crafts and project centers, or recreational facilities that are not likely to draw overnight guests in commercial lodging facilities.
- **Authored by:** Rep. Jeff Lewis
- **House Committee:** Ways & Means
- **Motion:** Veto Override
- Yeas: 157 Nays: 16

#### **HB 529 - General Assembly; budgetary functions; reflect changes**

- House bill 529 adds a new code section, 28-5-6, to the Official Code of Georgia Annotated which establishes both a House Budget Office and a Senate Budget Office to fulfill the duties formerly carried out by the Office of Legislative Budget Analyst. This new section gives these offices the authority to request information from all state departments, boards, bureaus, commissions, committees, and authorities. All information received from the House Budget Office will be made available to the House Appropriations Office, House Budget and Fiscal Affairs Oversight Committee, and any other officers of the House of Representatives designated by the Speaker of the House.
- **Authored by:** Rep. Richard Royal
- **House Committee:** Budget & Fiscal Affairs Oversight
- **Motion:** Veto Override
- Yeas: 160 Nays: 13

#### **HB 549 - Children with disabilities; basic therapy services; establish requirements**

- This bill would simplify the process of application and approval of medical therapy services for children with disabilities. Such services are entitled under the Medicaid Early Periodic Screening, Diagnostic, and Treatment Program. Additionally, this bill would simplify the process and paperwork by which occupational, speech, and physical therapy services are applied for and received by eligible citizens. The measure removes the requirement for prior approval on basic therapy services for minors. The bill permits basic therapy services at a rate of 16 units per month, and stipulates that for services that do require a prior approval, said prior approval shall last for a six month period. The measure also requires that any utilization review procedures do not place an undue burden on the availability of medically necessary therapeutic services.
- **Authored by:** Rep. Mark Burkhalter
- **House Committee:** Health & Human Services
- **Motion:** Veto Override
- Yeas: 161 Nays: 12

#### **HB 559 - Health insurance; charter school teachers and employees; provisions**

- This bill relates to health insurance plans for teachers and other school personnel in elementary and secondary education, so as to provide for teachers and employees of charter schools to be considered employees for purposes of participating in the health insurance plans for teachers and other school personnel.
- **Authored by:** Rep. Margaret Kaiser
- **House Committee:** Education
- **Motion:** Veto Override
- Yeas: 157 Nays: 14
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#### **HB 807 - Auburn, City of; certain areas not included; provide**

- A Bill to deannex territory from the corporate limits of the City of Auburn.
- **Authored by:** Rep. Terry England
- **House Committee:** Intragovernmental Coordination - Local
- **Motion:** Veto Override
- Yeas: 158 Nays: 14

*\* The House will reconvene Tuesday, January 15, at 10:00 AM, for its 2nd Legislative Day of the 1st Regular Session of the 149th General Assembly.*

## COMMITTEE ON RULES

No Rules Calendar Available

## COMMITTEE ACTION REPORT

Either there is no committee action to report

\* Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.



## COMMITTEE MEETING SCHEDULE

### Tuesday, January 15, 2008

1:00 PM - 3:30 PM	<u>Children's Outpatient/Community Services Subcommittee</u>	403 CAP
1:00 PM - 4:00 PM	<u>Ways &amp; Means Tax Reform Subcommittee</u>	506 CLOB
2:00 PM - 4:00 PM	<u>JEKYLL ISLAND OVERSIGHT COMMITTEE</u>	606 CLOB
4:00 PM - 6:00 PM	<u>Charter Schools Subcommittee</u>	406 CLOB

\* This schedule is accurate at the time of this report, but meeting dates and times are subject to change. To view the most up to date meeting schedule, please visit <http://www.legis.ga.gov> and click on Meeting Notices. To view the live streaming video of the full standing committee meetings, please visit the Georgia Legislative Network website.

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