

Gold Dome



March 19, 2019

Gold Dome Report - March 19, 2019

Lawmakers and lobbyists scampered through the halls of the State Capitol and Coverdell Legislative Office Building today as interests worked to push remaining bills through the committee process for the 2019 Legislative Session. Among the committees meeting was the House Rules Committee, which set a light calendar for Thursday, the next legislative day. Otherwise, it was a relatively quiet day under the Gold Dome. We have outlined some of the action taken in committee meetings which were held below in this Committee Work Day edition of the [#GoldDomeReport](#).

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Committee Updates

House Education Committee -- Academic Support Subcommittee

The Academic Support Subcommittee of the House Education Committee, chaired by Rep. Wes Cantrell (R-Woodstock), met to consider several bills today:

- [HR 52](#), authored by Rep. John Corbett (R-Lake Park), encourages all schools, local educational agencies, and the state educational agency to recognize that dyslexia has a profound educational impact that must be addressed. The same resolution, which simply encourages action, was adopted last year. The Subcommittee recommended the bill DO PASS and be sent to the full Education Committee.
- [SB 68](#), authored by Sen. Freddie Powell Sims (D-Dawson), strengthens provisions relating to the financial management of local school systems in Title 20. The bill incorporates the work of the Senate Study Committee on Continual Audit Exceptions on Local School Systems from the summer and fall of 2018. Specifically, the bill provides for training for local board of education members and local school superintendents on financial management; monthly reporting to the local board of education on the financial stability of the local school system; designation by the Department of Audits and Accounts of high-risk local school systems and moderate-risk local school systems based on annual audits; and financial management provisions in flexibility contracts and system charters. Chairman Cantrell asked the author if issues with school system financial management are largely rooted in inadequate training, to which Sen. Sims said yes. Rep. Matthew Wilson (R-Brookhaven) asked whether the author would be amenable to requiring the Department of Audits and Accounts to post districts at financial risk online, to which Sen. Sims expressed openness but caution. Angela Palm of the Georgia School Board Association spoke to the legislation, suggesting that the new training provisions in SB 68 be folded into the governance training already required for superintendents and school board members. Dr. Garry McGiboney of the Department of Education noted that DOE CFO Ted Beck has worked with the author on the bill. Rep. Becky Evans (D-Atlanta) asked if the bills requirements should be expanded to increase responsibilities for superintendents. The Subcommittee recommended the bill DO PASS and be sent to the full Education Committee.

Health and Human Services Committee

Chairman Sharon Cooper (R-Marietta) and the Health and Human Services Committee met in the afternoon to address these proposals:

- [SB 207](#), authored by Sen. Dean Burke, MD (R-Bainbridge), addresses licensing of physicians and was before the Committee with a new Substitute. The Georgia Board for Physician Workforce asked for a name change as their work deals beyond just physicians in Chapter 10 of Title 49. The new name would be the Georgia Board for Health Care Workforce. The new Substitute addresses the Board membership at lines 22-40 describing the new Board membership which is different from what the Senate proposed. It contains APRN, dental, physician's workforce, consumer and physicians on this Board. Rep. Katie Dempsey (R-Rome) inquired about current members, clarifying any removal of current members. Sen. Burke indicated it would be non-disruptive meaning that the current members would remain unless there was a reason to remove the person for cause. The House sponsor will be Chairman Cooper. The bill received a DO PASS recommendation, moving to the House Rules Committee.

- **SB 168**, authored by Sen. Greg Kirk (R-Americus), seeks to address nursing licensure in Chapter 26 of Title 43. A last minute Committee Substitute, LC 33 7976S, was presented in a new Substitute. Leader Jon Burns (R-Newington) is carrying the legislation addressing APRNs with multi-state licenses. It brings Georgia's law into the conformity with the compact laws. The Board of Nursing is to provide notice, changing the their state of licensure will require that nurse to become registered in Georgia. It contains language addressing Federally Qualified Health Centers. It also addresses a program which has been in a pilot phase in Clayton County to expand care to Georgians by allowing RNs to ride on ambulances. The bill clarifies law for mandatory reporting for RNs and LPNs, including those with multistate licenses. The legislation clears up the law passed in 2018 on nurse compacts. DCH is empowered over entities hiring these multi-state licensed nurses so that Georgia has a record of the nurses with the multi-state licenses and if those nurses move to Georgia then he or she must follow and be licensed in Georgia. Rep. Ed Rynders (R-Albany) asked a question around "referrals" and whether that they may be referrals to licensed physicians in another state; these nurses on the ambulances are referring to Georgia licensed physicians. There was public testimony: Deb Bailey, Northeast Georgia Health System, supported the bill (out-of-state nurses employed at her facility are 56 at the moment and they typically stay three weeks); Julie Windom, Navicent Health, supported the legislation (Navicent has 191 nurses working under the compact now); and Tim Kibler, Georgia Alliance of Community Hospitals, supported the bill. Rep. Lee Hawkins (R-Gainesville) asked about lines 81-82 and whether dentists were allowed to make referrals; this added profession can be added to the legislation as only physicians are currently allowed to get referrals. Rep. James Beverly (D-Macon) asked about Section 6, relating to delegation of medical acts. His question was addressed and a motion DO PASS was made. The motion for an Amendment was made at line 81 so that referrals can be made to a physician or dentists. The Amendment was adopted, and the Substitute bill as amended received a DO PASS recommendation.
- **HR 421**, authored by Rep. Katie Dempsey (R-Rome), addresses the creation of a House Study Committee on Infant and Toddler Social and Emotional Health. The Georgia Early Education Alliance spoke in support the Resolution. HR 421 received a DO PASS recommendation. This Resolution was previously offered as a Joint Study Committee but will now be solely a House Study.

Jamie Schoenberg spoke about her personal story regarding vaccines. Many individuals, though, oppose the vaccination process. Chairman Cooper noted one particular issue involving meningococcal vaccine and the importance to have youth vaccinated. Ms. Schoenberg was a student at the University of Texas when she contracted the disease. The disease can kill within 24-48 hours of an individual contracting it. Ms. Schoenberg explained that she was in the hospital for seven months with the disease. She lost extremities in the process of battling her illness. Since overcoming meningitis, she has become a speaker on vaccines and a paralympic cyclist. Dr. Terry McFadden, a pediatrician, spoke about the importance of immunizations. Routine childhood immunizations prevent bacterial and viral diseases such as measles, mumps, pertussis, polio, etc. For each \$1 spent, it was a \$16 savings in the US. A decision not to immunize one child impacts other children. Vaccine hesitancy is linked to recent outbreaks of disease (such as measles). Rep. Mike Cheokas (R-Americus) asked what could be done to encourage parents to make sure children get these vaccines and that they can be informed about the dangers when folks are not vaccinated. Education is one answer and Ms. Schoenberg has information from her nonprofit and social media also has an influence; she encouraged folks to talk with the doctors about vaccines. Dr. McFadden noted that parents want what is best for their children; they are bombarded with information and it is hard to know what messages to trust.

House Retirement Committee

The House Retirement Committee, chaired by Rep. Tommy Benton (R-Jefferson), met to consider several bills today:

- **SB 117**, authored by Sen. Ellis Black (R-Valdosta), amends Title 47 to prohibit the passage of any law, rule, regulation, resolution, or ordinance that allows for creditable service in a state retirement system that does not require an individual to pay the full actuarial cost of obtaining such creditable service. The bill was being reconsidered as a substitute that recognizes that some state employees are by contract allowed to buy creditable service at a designated rate that could be less than the full actuarial value. The Committee recommended the bill DO PASS by Committee Substitute and be sent to the Rules Committee.
- **SB 175**, authored by Sen. Ellis Black (R-Valdosta), amends Title 47 to require employers to pay both the employee and employer contributions to the Teachers Retirement System when rehiring a retired employee. The re-hired employee does not earn any additional creditable service under the arrangement. The Committee considered a substitute that does not require payment of contributions for rehired retirees serving as substitute teachers or teacher's aides, employees of RESAs, or the first 20 employees for school districts with fewer than 3,300 students so long as the employees are not performing the duties of an earned teacher. The substitute also makes the effective date July 1, 2021. A superintendent of a small school district expressed appreciation for the proposed amendments helping small districts. Gretchen Walton of Cobb County Schools expressed concerns about the bill. Rep. Tom Kirby (R-Loganville) asked what percentage of Cobb's budget is represented by the \$2.5M financial impact, and Chairman Benton asked how many of the rehired retirees are taking earned teacher positions. Chairman Benton also asked whether the bill's negative impact would be mitigated if contributions were only required for rehired retirees who are taking the spot of an earned position. David McCleskey of Gwinnett County Schools was asked to opine on the bill, and he noted that the impact on Gwinnett would be similar to the impact on Cobb. Chairman Benton noted that the bill remains a work in progress, and Rep. Kirby moved to TABLE the bill, again. The motion passed and the bill was tabled.
- **SB 176**, authored by Sen. Ellis Black (R-Valdosta), amends Title 47 to require employers to pay both the employee and employer contributions to the Employees Retirement System when re-hiring a retired employee. The re-hired employee does not earn any additional creditable service under the arrangement. The bill was re-committed by the Rules Committee for additional work by this Committee. Chairman Black asked that SB 175 and SB 176 move together, so Chairman Benton recommended tabling the bill. Motion to TABLE was made and passed.

Chairman Benton noted that there needs to be additional discussion on SB 175 and SB 176 and he will convene a workgroup to do vet the bills. Rep. Debbie Buckner (R-Columbus) volunteered to participate. He also announced that the Committee has eleven bills to hear before they go to actuarial study, and the Committee will plan to meet next Tuesday at 2PM or, if the legislative session runs long, on Wednesday at 11AM.

House Judiciary Committee

The House Judiciary Committee, chaired by Rep. Barry Fleming (R-Harlem), met to consider several provisions today:

- **SB 32**, authored by Sen. Kay Kirkpatrick (R-Marietta), amends Title 51 to exempt individuals who make a good faith attempt to rescue an animal from a locked motor vehicle from civil liability for damage to such vehicle. Chairman Fleming introduced the "Hot Dog Bill", noting that it was being presented as a substantial re-write. The substitute considered by the Committee is limited to dogs. The Committee recommended the bill DO PASS by Committee Substitute and be sent to the Rules Committee. Rep. Bonnie Rich (R-Suwanee) will carry the bill in the House.

- [SB 104](#), authored by Sen. Chuck Payne (R-Dalton), amends Title 31 to clarify the law relating to parental consent to an order not to resuscitate their child. Current law states that a parent “may consent” to a DNR order for their minor child, and the bill removes that language to provide that a DNR order may not be issued unless a parent gives oral or written consent. Joshua Edmonds of the Georgia Life Alliance and Dave Baker of Faith and Freedom Coalition of Georgia spoke in favor of the legislation. Anna Adams of the Georgia Hospital Association expressed support for the language as presented, which clarifies a parent’s right but not requirement to sign a DNR. The Committee recommended the bill DO PASS by Committee Substitute and be sent to the Rules Committee. Rep. Kasey Carpenter (R-Dalton) will carry the bill in the House.
- [SB 110](#), authored by Sen. Jesse Stone (R-Waynesboro), amends Title 15 to establish the Statewide Business Court pursuant to the Constitution. The Committee considered a substitute to the bill that consists of the language from the House version of the bill ([HB 239](#)) but incorporating two provisions from the Senate version: (1) the salary of the Clerk of the Court would be indexed to the Clerk of the Court of Appeals, and (2) provides for tolling of any statute of limitations while a party seeks removal to the business court. Rep. Chuck Efration (R-Dacula), who is carrying the bill, also offered an amendment that would make clear that the statewide court would not displace any existing business court (like the one in Fulton County) or preclude the creation of such a court. The amendment was adopted, and the Committee recommended the bill DO PASS by Committee Substitute and be sent to the Rules Committee.

House Regulated Industries - Special Subcommittee

Chairman Alan Powell called the subcommittee to order to hold a hearing on [HB 580](#), known as the “Youth Mental Health Protection Act” and would outlaw the practice of conversion therapy. Rep. Matthew Wilson (D-Brookhaven) spoke to the bill and explained both his motives in bringing the bill along with what it aims to accomplish. He noted that Georgia has a conversion therapy crisis which he said significantly increases the risk of suicide in LGBTQ youth. Rep. Wilson further enumerated the number of national and statewide organizations, both medical and civil rights groups, that oppose conversion therapy. Lastly, Rep. Wilson explained that the bill’s scope only applies to licensed medical practitioners. Roland Beam, from the Georgia Chapter of the American Foundation for Suicide Prevention, explained why his organization is in support of this bill. Specifically, he noted the correlation between individuals receiving conversion therapy and suicide. Peter Nunn, a private citizen that has undergone conversion therapy, provided testimony in favor of the bill. He described his experiences with conversion therapy and explained to the committee why he believes it was detrimental to his development and mental health. Sanjay Shah, a licensed psychologist, spoke about the negative clinical aspects of conversion therapy.

Senate Finance - Tax Expenditures Subcommittee

This Subcommittee met in the morning to take up two bills. Sen. Bill Heath (R-Bremen) chaired this meeting, moving forward one bill and holding another for further discussion. [HB 132](#), authored by Rep. Bruce Williamson (R-Monroe), received a DO PASS recommendation from the Subcommittee. [HB 132](#) permits affiliated entities to apply certain transferable tax credits against payroll withholding in O.C.G.A. § 48-7-42(c). Meanwhile, [HB 287](#), authored by Rep. Matt Dubnik (R-Gainesville), was held in an effort for more discussion. Sen. Heath indicated that the Subcommittee would follow up with another Subcommittee meeting on March 20 to look further at [HB 287](#) which would convert a tax deduction to a tax credit for physician preceptors.

Rules Calendars for Legislative Day 34

The House will take up the following propositions on Thursday for Legislative Day 34:

- [HR 368](#) -- Interstate 14; construction; urge

- [SB 17](#) -- Public Utilities and Public Transportation; authorize telephone cooperatives and their broadband affiliates; provide broadband services
- [SB 55](#) -- Retirement; method and manner by which a member of the Employees' Retirement System of Georgia may purchase an annuity; revise
- [SB 121](#) -- Prescription Drug Monitoring Program Database; length of time prescription information is retained from two years to five years; increase
- [SB 97](#) -- Self-Service Storage Facilities; limit fees charged and collected by self-service storage facilities for the late payment of rent; provide
- [SB 132](#) -- Insurance; modernization and updates; provide; Commission on the Georgia Health Insurance Risk Pool; repeal Article 2 of Chapter 29A
- [SB 133](#) -- Insurance; modernization and updates; provide

The House is likely to add additional bills for consideration on Thursday in a Supplemental Rules Calendar to be adopted on Thursday morning.

The Senate will take up the following propositions on Thursday for Legislative Day 34:

- [HB 225](#) -- Motor vehicles; reference date to federal regulations regarding the safe operation of commercial motor vehicles and carriers; update (PUB SAF-7th) Rich-97th
- [HB 246](#) -- Evidence; revise manner by which depositions taken at the instance of state are paid (JUDY-18th) Silcox-52nd
- [HB 325](#) -- Law enforcement officers and agencies; records of investigation of an officer by the Georgia Peace Officer Standards and Training Council shall be retained for 30 years; provide (PUB SAF-7th) Clark-147th
- [HB 387](#) -- Property; liens in favor of private, nonprofit, volunteer fire departments for instances of fire services that are requested by property owners; provide (JUDY-53rd) Lumsden-12th
- [HB 226](#) -- Courts; additional penalty for violation of traffic laws or ordinances under Joshua's Law; extend sunset (PUB SAF-17th) LaRiccia-169th
- [HB 279](#) -- Revenue and taxation; certain law enforcement officers may use department vehicles relative to certain approved off-duty jobs; provide (Substitute) (PUB SAF-29th) Lumsden-12th
- [HB 300](#) -- Health; redesignate continuing care retirement communities as life plan communities (H&HS-46th) Smith-133rd
- [HB 471](#) -- Motor vehicles; implied consent notices; revise (PUB SAF-29th) Sainz-180th
- [HB 514](#) -- Georgia Mental Health Reform and Innovation Commission; create (Substitute) (H&HS-13th) Tanner-9th

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