

2016 Legislative Session

Legislative Days 39 – 40

March 25, 2016

General Assembly Adjourns

The legislature adjourned early Friday morning, concluding the 2016 session in their usual fashion. Bills flew back and forth throughout the evening and legislative mischief, which is common during the final days, was pervasive.

House and Senate members now return home, many to kick off reelection campaigns. Over fifty incumbents have a challenger in the May 24 Primary Election and will spend the next two months fundraising and campaigning.

Governor Nathan Deal, on the other hand, will spend the coming weeks reviewing and acting on legislation sent to him by the General Assembly. He has until May 3 to sign or veto legislation. Legislation not eligible for action by the Governor is lost and will have to be refiled to be considered again. All eyes are watching his decisions related to controversial religious freedom and gun bills.

Funding Preserved for Items of Interest

On Tuesday, the House and Senate agreed to a final version of the FY2017 budget. This final version was the result of a conference committee of legislators working to resolve differences between what the House and Senate adopted separately. The Governor will sign the budget into law before May 3.

Preserved in the final version is \$100,000 for service cancellable loans to fund five large animal veterinary slots. Retired Representative Gene Maddox, DVM introduced the veterinary loan repayment program in 2011 to create incentives for recent graduates to specialize in large animal and food animal medicine and locate in systemically underserved areas. The program allows selected veterinarians to receive \$20,000 for four years to help repay student loans. GVMA joined with the larger agribusiness community to advocate for funding. Funding will have to be sustained in future state budgets for the program to continue.

Also included in the final budget is \$75,000 added by the Senate to supplement the Department of Agriculture's existing dog and cat sterilization program. This funding was included at the request of Senator David Shafer, who also authored legislation to create a new license plate to support the Georgia Pet Foundation.

Licensing Issues

HB 952: Professional Regulation Reform Act **Representative Chad Nimmer, R-Blackshear** **Eligible for action by the Governor**

HB 952 requires the Governor to supervise the state's professional licensing boards to ensure their actions are consistent with clearly articulated state policy. The Governor is required to review and approve or veto all rules before they are filed with the Secretary of State's Office and may also review and approve or veto any rule or action that is challenges or submitted by a professional licensing board for review.

Before the bill was adopted by the House, oversight authority was moved from the Governor to the Secretary of State. While under consideration in the Senate, the bill was amended to again give the Governor this authority. The Governor's Office, Secretary of State's Office and Attorney General's Office support the Senate amendment.

SB 230: Uniform Emergency Volunteer Health Practitioners Act

Senator Chuck Hufstetler, R-Rome

Eligible for action by the Governor

The Uniform Emergency Volunteer Health Practitioners Act allows state governments, during a declared emergency, to give reciprocity to other states' licensees on emergency services providers so that individuals may provide services without meeting the state's licensing requirements. The legislation makes specific reference to veterinarians, thereby allowing veterinarians licensed in other states to provide veterinarian services in Georgia in times of emergency without being licensed in Georgia.

HB 821: Military Spouses and Veterans Licensure Act

Representative Al Williams, D-Midway

Eligible for action by the Governor

HB 821 requires professional licensing boards and other boards to adopt rules and regulations implementing a process by which military spouses and transitioning service members may qualify for temporary licenses, licenses by endorsement, expedited licenses, or a combination thereof for each professional, business or trade for which a license is issued.

Professional Issues

HB 736: Georgia Pet Foundation Tag

Representative Alex Atwood, R-St. Simons Island

Eligible for action by the Governor

HB 736 originally created a special license plate for marine habitat conservation; it has since become akin to a license plate "omnibus" bill and now contains language creating the Georgia Pet Foundation Tag. The language added to HB 736 now reads that "funds raised shall be disbursed to the Georgia Pet Foundation to be used for dog and cat reproductive sterilization, including, but not limited to, grants to nonprofit corporations and vouchers for discounted veterinary sterilization services." Senator David Shafer's original bill (**SB 365**) failed to report from the House State Planning & Community Affairs Committee.

HB 800: Veterinarian-Client-Patient Relationship

Representative Rick Jasperse, R-Jasper

Eligible for action by the Governor

HB 800 amends language in the veterinary practice act regarding the veterinarian-client-patient relationship as it applies to herd and flock health. Specifically, the bill acknowledges a proper relationship exists when a licensed veterinarian makes "medically appropriate or timely visits ... to premises within an operation or production system where the animal or groups of animals are kept." This revision comes at the request of the Georgia Poultry Association to align state code with federal language.

At the GVMA's request, the bill also strikes the phrase "or his or her licensed designee" after "licensed veterinarian." This clarifies that a veterinarian is the only one who can make medical decisions, thereby aligning state code with current Veterinary Board rules.

HB 911: Changes to the GATE Program
Representative Geoff Duncan, R-Cumming
Lost, failed to gain agreement by the House

HB 911 requires enhanced cooperation between the Department of Agriculture and the Department of Revenue to curb abuse in the GATE program. The bill raises the qualification threshold for program participation and requires applicants to provide the Department of Agriculture with a valid state taxpayer ID number obtained through the Department of Revenue. It also extends the renewal period from one to three years.

The bill places a burden on retailers by requiring them to separately identify items that qualify for the GATE exemption and retain the taxpayer ID and other information of the purchaser. Ultimately, this concern surrounding retailers killed the bill. The House Ways & Means Chairman has been a vocal proponent of GATE program reform and we expect the legislature to consider changes again next year.

Animal Welfare & Regulation Issues

SB 184: Prohibit Certain Spay and Neuter Fines
Senator Ellis Black, R-Valdosta
Eligible for action by the Governor

SB 184 was introduced last year and would have prohibited local governments from enacting breed-specific regulations. The bill made last year's Crossover Day deadline and has been pending in the House Government Affairs Committee. While in committee, House members stripped the original bill and replaced it with language that prohibits local governments from fining owners who choose not to have certain hunting dogs altered. Specifically, dogs must be registered with the AKC or UKC as a sporting breed group dog, hound breed group dog, nonsporting breed group dog or another breed used in the lawful pursuit of hunting.

SB 356: Impounded Animals
Representative Michael Williams, R-Cumming
Eligible for action by the Governor

SB 356 revises provisions related to the care of an impounded animal. It prohibits an agency from returning an impounded animal to its owner if the owner has been convicted of animal cruelty or dog fighting. It allows the agency to require the owner to pay costs of impoundment and care and place a lien on the animal in certain cases.

SB 168: Official State Dog
Senator Burt Jones, R-Jackson
Eligible for action by the Governor

As originally introduced, SB 168 designated the Old Governor's Mansion in Milledgeville as the official state historic house. While in the House, the original language was stripped and replaced with the contents of **HB 561**, which makes the "adoptable dog" Georgia's official state dog. The Senate agreed with the changes made in the House on Thursday, sending the legislation to the Governor.

HB 876: Livestock Dealers
Representative Clay Pirkle, R-Ashburn
Lost, failed to gain agreement by the Senate

HB 876 updates license and surety requirements of livestock dealers and livestock market operators and requires the Commissioner to publish the names and locations of duly licensed dealers and livestock market operators. While under consideration in the Senate, the Agriculture and Consumer Affairs Committee added language from **SB 183**, which extends existing liability protections to livestock and limits civil liability of those involved in livestock activities.

It was this liability provisions that raised concerns in the House and Senate. Ultimately, a conference committee was appointed to reconcile issues raised by proponents and opponents. The conferees came to a consensus and their report was adopted by the House; however, the Senate failed to take action on the report before adjournment. Therefore the bill will not go to the Governor. Legislation extending liability protection will likely be filed next year.

SB 183: Livestock Liability Protection

Senator John Wilkinson, R-Toccoa

Lost, failed to report from the House Rules Committee

SB 183 extends existing liability protections to livestock and limits civil liability of those involved in livestock activities, which is defined as grazing, herding, feeding, branding, boarding, milking, inspecting, or evaluating livestock or taking part in any other activity that involves the care or maintenance of livestock. While the language was added to **HB 876**, even that was not enough to send the bill to the Governor.