



STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0090

Brian P. Kemp
GOVERNOR

May 12, 2022

The Honorable Geoff Duncan
Lieutenant Governor
240 State Capitol
Atlanta, Georgia 30334

The Honorable David Ralston
Speaker of the Georgia House
of Representatives
332 State Capitol
Atlanta, Georgia 30334

Dear Gentlemen:

Please be advised that I have identified language to disregard and line-item vetoed the appropriations below for the following sections in House Bill 911:

Non-Binding Information Language to Disregard:

1. Section 11, pertaining to the State Accounting Office, page 17, line 478.
2. Section 12, pertaining to the Department of Administrative Services, page 19, line 549.
3. Section 12, pertaining to the Department of Administrative Services, page 20, line 558.
4. Section 12, pertaining to the Department of Administrative Services, page 20, line 566.
5. Section 12, pertaining to the Department of Administrative Services, page 20, line 577.
6. Section 12, pertaining to the Department of Administrative Services, page 21, line 586.
7. Section 12, pertaining to the Department of Administrative Services, page 21, line 594.
8. Section 15, pertaining to the Department of Behavioral Health and Developmental Disabilities, page 28, line 791.
9. Section 15, pertaining to the Department of Behavioral Health and Developmental Disabilities, page 32, line 937.
10. Section 17, pertaining to the Department of Community Health, page 40, line 1171.
11. Section 17, pertaining to the Department of Community Health, page 44, line 1294.
12. Section 17, pertaining to the Department of Community Health, page 44, line 1297.
13. Section 17, pertaining to the Department of Community Health, page 44, line 1299.
14. Section 17, pertaining to the Department of Community Health, page 44, line 1317.

15. Section 17, pertaining to the Department of Community Health, page 47, line 1377.
16. Section 24, pertaining to the Department of Education, page 62, line 1837.
17. Section 27, pertaining to the Office of the Governor, page 77, line 2296.
18. Section 27, pertaining to the Office of the Governor, page 80, line 2361.
19. Section 30, pertaining to the Georgia Bureau of Investigation, page 95, line 2833.
20. Section 34, pertaining to the Department of Natural Resources, page 104, line 3084.
21. Section 38, pertaining to the Department of Public Health, page 114, line 3408.
22. Section 41, pertaining to the University System of Georgia Board of Regents, page 128, line 3829.
23. Section 44, pertaining to the Georgia Student Finance Commission, page 140, line 4194.
24. Section 44, pertaining to the Georgia Student Finance Commission, page 143, line 4269.
25. Section 44, pertaining to the Georgia Student Finance Commission, page 143, line 4271.
26. Section 47, pertaining to the Department of Transportation, page 152, line 4557.

Veto:

1. Section 50, pertaining to the Georgia General Obligation Debt Sinking Fund, page 162, line 4780.
2. Section 50, pertaining to the Georgia General Obligation Debt Sinking Fund, page 162, line 4782.
3. Section 50, pertaining to the Georgia General Obligation Debt Sinking Fund, page 163, line 4785.
4. Section 50, pertaining to the Georgia General Obligation Debt Sinking Fund, page 166, line 4813.

The messages for the above referenced items are attached.

Sincerely,



Brian P. Kemp

The Honorable Geoff Duncan
The Honorable David Ralston
May 12, 2022
Page **3** of **10**

cc: The Honorable Brad Raffensperger, Secretary of State
The Honorable Chris Carr, Attorney General
The Honorable Blake Tillery, Chairman, Senate Appropriations Committee
The Honorable Terry England, Chairman, House Appropriations Committee
Mr. David A. Cook, Secretary of the Senate
Mr. Bill Reilly, Clerk of the Georgia House of Representatives
Mr. Rick Ruskell, Legislative Counsel

HB 911 – FY 2023 APPROPRIATIONS BILL

INTENT LANGUAGE CONSIDERED NON-BINDING

Section 11, pertaining to the State Accounting Office, page 17, line 478:

The General Assembly seeks to appropriate \$587,671 in state general funds to the State Accounting Office for the Financial Systems program to be used to provide the \$5,000 cost-of-living adjustment to employees funded through the program. Employees of this program are funded through the agency's enterprise cost model for managing the state's accounting and human capital management systems, and the program does not receive state funding. Therefore, the office is directed to disregard the language included in line 478 and utilize the funds for one-time expenses related to the NextGen implementation project.

Section 12, pertaining to the Department of Administrative Services, page 19, line 549:

The General Assembly seeks to appropriate \$456,239 in state general funds to the Department of Administrative Services for the Departmental Administration (DOAS) program to be used to provide the \$5,000 cost-of-living adjustment to employees funded through the program. Employees of the department are funded through revenues generated through enterprise support services provided to other state agencies, and the department does not receive direct state funding for those activities. Therefore, the department is directed to disregard the language included in line 549 and manage personal services costs through the department's existing business model.

Section 12, pertaining to the Department of Administrative Services, page 20, line 558:

The General Assembly seeks to appropriate \$70,789 in state general funds to the Department of Administrative Services for the Fleet Management program to be used to provide the \$5,000 cost-of-living adjustment to employees funded through the program. Employees of the department are funded through revenues generated through enterprise support services provided to other state agencies, and the department does not receive direct state funding for those activities. Therefore, the department is directed to disregard the language included in line 558 and manage personal services costs through the department's existing business model.

Section 12, pertaining to the Department of Administrative Services, page 20, line 566:

The General Assembly seeks to appropriate \$310,791 in state general funds to the Department of Administrative Services for the Human Resources Administration program to be used to provide the \$5,000 cost-of-living adjustment to employees funded through the program. Employees of the department are funded through revenues generated through enterprise support services provided to other state agencies, and the department does not receive direct state funding for those activities. Therefore, the department is directed to disregard the language included in line 566 and manage personal services costs through the department's existing business model.

Section 12, pertaining to the Department of Administrative Services, page 20, line 577:

The General Assembly seeks to appropriate \$232,652 in state general funds to the Department of Administrative Services for the Risk Management program to be used to provide the \$5,000 cost-of-living adjustment to employees funded through the program. Employees of the department are funded through revenues generated through enterprise support services provided to other state agencies, and the department does not receive direct state funding for those activities. Therefore, the department is directed to disregard the language included in line 577 and manage personal services costs through the department's existing business model.

Section 12, pertaining to the Department of Administrative Services, page 21, line 586:

The General Assembly seeks to appropriate \$780,618 in state general funds to the Department of Administrative Services for the State Purchasing program to be used to provide the \$5,000 cost-of-living adjustment to employees funded through the program. Employees of the department are funded through revenues generated through enterprise support services provided to other state agencies, and the department does not receive direct state funding for those activities. Therefore, the department is directed to disregard the language included in line 586 and manage personal services costs through the department's existing business model.

Section 12, pertaining to the Department of Administrative Services, page 21, line 594:

The General Assembly seeks to appropriate \$99,980 in state general funds to the Department of Administrative Services for the Surplus Property program to be used to provide the \$5,000 cost-of-living adjustment to employees funded through the program. Employees of the department are funded through revenues generated through enterprise support services provided to other state agencies, and the department does not receive direct state funding for those activities. Therefore, the department is directed to disregard the language included in line 594 and manage personal services costs through the department's existing business model.

Section 15, pertaining to the Department of Behavioral Health and Developmental Disabilities, page 28, line 791:

The General Assembly seeks to instruct the Department of Behavioral Health and Developmental Disabilities in Adult Addictive Diseases Services program to utilize \$500,000 in Georgia Opioid Crisis Abatement Trust Funds to equip law enforcement, emergency medical services personnel, and probation staff with naloxone opioid overdose reversal medication. The state has not yet received any settlement funds as a result of the opioid litigation but has already utilized \$2,017,929 from a previous settlement to provide 326,000 naloxone kits to EMS providers. Therefore, the department is directed to disregard the language included in line 791.

Section 15, pertaining to the Department of Behavioral Health and Developmental Disabilities, page 32, line 937:

The General Assembly seeks to appropriate \$261,823 in state general funds to the Department of Behavioral Health and Developmental Disabilities for the Departmental Administration (DBHDD) program to provide an administrative infrastructure to implement the terms of the National Prescription Opiate Litigation settlement, the Georgia Opioid Crisis Abatement Trust

funds, and the activities of the Opioid Recovery and Remediation Fund Advisory (ORRFA) Council. HB 1321, which would have established the Georgia Opioid Crisis Abatement Trust and the ORRFA Council, was not passed by the General Assembly during the legislative session. Therefore, the department is directed to disregard the language included in line 937.

Section 17, pertaining to the Department of Community Health, page 40, line 1171:

The General Assembly seeks to appropriate \$6,505,200 in state general funds to the Department of Community Health for the Departmental Administration (DCH) program to Provide funds to replace the Medicaid Management Information System (MMIS) with the Medicaid Enterprise System Transformation (MEST). The department has sufficient existing available funding to complete this project without additional appropriations. Therefore, the department is directed to disregard the language included in line 1171.

Section 17, pertaining to the Department of Community Health, page 44, line 1294:

The General Assembly seeks to appropriate \$4,298,743 in state general funds to the Department of Community Health for the Medicaid - Low - Income Medicaid program to direct the department to submit an 1115 waiver to provide Medicaid benefits to individuals with HIV. HB 1192, the accompanying legislation authorizing this line item, was not passed by the General Assembly during the legislative session. Additionally, the amount appropriated would cover less than one quarter of the actual projected cost to cover this additional population. Therefore, the department is directed to disregard the language included in line 1294 and instead utilize the funds for enrollment and expense growth needs in accordance with the purpose of the program and general law powers of the department.

Section 17, pertaining to the Department of Community Health, page 44, line 1297:

The General Assembly seeks to appropriate \$698,571 in state general funds to the Department of Community Health for the Medicaid - Low - Income Medicaid program to Provide funds and direct the department to submit an 1115 waiver to remove the five-year waiting period for lawful permanent residents. The amount appropriated would not cover the full cost of expanding eligibility to this additional population, and it would, therefore, create an unfunded liability for the department. Therefore, the department is directed to disregard the language included in line 1297 and instead utilize the funds for enrollment and expense growth needs in accordance with the purpose of the program and general law powers of the department.

Section 17, pertaining to the Department of Community Health, page 44, line 1299:

The General Assembly seeks to appropriate \$44,156,830 in state general funds to the Department of Community Health for the Medicaid - Low - Income Medicaid program for value-based purchasing. The department will need time to develop quality metrics for value-based purchasing that would make it difficult to fully implement in FY 2023. As the state must reprocure these contracts within the next two years, the department should utilize that time to develop the quality metrics necessary to implement value-based purchasing as part of the reprocurement process. Therefore, the department is directed to disregard the language included in line 1299 and instead utilize the funds for enrollment and expense growth needs in accordance with the purpose of the program and general law powers of the department.

Section 17, pertaining to the Department of Community Health, page 44, line 1317:

The General Assembly seeks to appropriate \$2,324,158 in state general funds to the Department of Community Health for the PeachCare program for value-based purchasing. The department will need time to develop quality metrics for value-based purchasing that would make it difficult to fully implement in FY 2023. As the state must reprocurse these contracts within the next two years, the department should utilize that time to develop the quality metrics necessary to implement value-based purchasing as part of the reprocurement process. Therefore, the department is directed to disregard the language included in line 1317 and instead utilize the funds for enrollment and expense growth needs in accordance with the purpose of the program and general law powers of the department.

Section 17, pertaining to the Department of Community Health, page 47, line 1377:

The General Assembly seeks to appropriate \$3,000,000 in state general funds to the Department of Community Health for the Georgia Board of Health Care Workforce: Undergraduate Medical Education program for equipment and operating grants for nursing programs with wait lists and additional student capacity. The board is authorized to develop a competitive grant application process and criteria for awards to identify nursing programs in greatest need of funding in accordance with the purpose of the program and general law powers of the board.

Section 24, pertaining to the Department of Education, page 62, line 1837:

The General Assembly seeks to appropriate \$55,734 in state general funds to the Department of Education for the Agricultural Education program to transfer five certified personnel positions to the state teacher salary schedule. The positions identified are not instructional positions. State positions should be classified based on the responsibilities and duties of the position. Therefore, the department is directed to disregard the language included in line 1837.

Section 27, pertaining to the Office of the Governor, page 77, line 2296:

The General Assembly seeks to appropriate \$704,841 in state general funds to the Office of the Governor for the Georgia Emergency Management and Homeland Security Agency program to finalize the career retention plan. These funds would be used for personal services for employees currently funded by federal grants. State funds should not be used to subsidize federal activities and using these funds for federal employees could create future supplantation concerns. Therefore, the agency is directed to disregard the language included in line 2296 and utilize the funds for construction of additional warehouse space for emergency response equipment and supplies on the Macon Farmers Market property.

Section 27, pertaining to the Office of the Governor, page 80, line 2361:

The General Assembly seeks to appropriate \$271,308 in state general funds to the Office of the Governor for the Office of the State Inspector General program for costs associated with POST Certification in accordance with HB 960 (2022 Session). HB 960 was not passed by the General Assembly during the 2022 session and these funds will not be necessary. Therefore, the office is directed to disregard the language included in line 2361.

Section 30, pertaining to the Georgia Bureau of Investigation, page 95, line 2833:

The General Assembly seeks to appropriate \$375,000 in state general funds to the Georgia Bureau of Investigation for the Criminal Justice Coordinating Council program for local first responder

grants. The council is authorized to develop a competitive grant application process and criteria for awards for local first responder grants in accordance with the purpose of the program and general law powers of the council.

Section 34, pertaining to the Department of Natural Resources, page 104, line 3084:

The General Assembly seeks to appropriate \$500,000 in state general funds to the Department of Natural Resources for the Environmental Protection program for operations. The department is authorized to utilize the funds for regular operating expenses but may not use these funds for personal services for employees currently funded by federal grants. State funds should not be used to subsidize federal activities and using these funds for federal employees could create future supplantation concerns.

Section 38, pertaining to the Department of Public Health, page 114, line 3408:

The General Assembly seeks to appropriate \$1,700,000 in state general funds to the Department of Public Health for the Public Health Formula Grants to Counties program for improved infrastructure and support. The purpose of the program is to provide general grant-in-aid to county boards of health. Providing additional funding to specific county boards of health outside of the established general grant-in-aid formula would be outside the purpose of this program. Therefore, the department is directed to distribute the funds included in line 3408 in accordance with the regular general grant-in-aid formula allocations for county boards of health in accordance with the program purpose and general law powers of the department.

Section 41, pertaining to the University System of Georgia Board of Regents, page 128, line 3829:

The General Assembly seeks to appropriate \$92,500 in state general funds to the University System of Georgia Board of Regents for the Public Service/Special Funding Initiatives program for the Georgia Aviation Hall of Fame at Middle Georgia State University. The board is directed to disregard the language included in line 3829.

Section 44, pertaining to the Georgia Student Finance Commission, page 140, line 4194:

The General Assembly seeks to appropriate \$1,622,865 in state general funds to the Georgia Student Finance Commission for the Commission Administration (GSFC) program for operating expenses and five loan servicing positions, six program specialist positions, two accounting positions, and four contract IT developers to implement expanded and new programs. The Commission does not expect to provide any new loan origination services for the additional initiatives added in Service Cancelable loans, but instead will implement those programs as loan repayment programs. This will require fewer personnel than originally anticipated. Therefore, the commission is directed to disregard the language included in line 4194 and hire personnel in accordance with agency needs to effectively implement loan repayment programs.

Section 44, pertaining to the Georgia Student Finance Commission, page 143, line 4269:

The General Assembly seeks to appropriate \$260,000 in state general funds to the Georgia Student Finance Commission for the Service Cancelable Loans program for recruitment and retention for full-time medical examiners employed by the Georgia Bureau of Investigation. HB

1319 would have codified a full-time medical examiner employed by the Division of Forensic Sciences of the Georgia Bureau of Investigation service cancelable loan program within the Georgia Student Finance Commission. This legislation was not passed by the General Assembly during the 2021-2022 legislative session. Therefore, the commission is directed to disregard the language included in line 4269.

Section 44, pertaining to the Georgia Student Finance Commission, page 143, line 4271:

The General Assembly seeks to appropriate \$1,440,000 in state general funds to the Georgia Student Finance Commission for the Service Cancelable Loans program to provide service cancelable loans to active local or state law enforcement officers to pursue degrees in a criminal justice or relevant social science field. HB 1319 would have codified a Georgia Law Enforcement Officer service cancelable loan program within the Georgia Student Finance Commission. This legislation was not passed by the General Assembly during the 2021-2022 legislative session. Therefore, the commission is directed to disregard the language included in line 4271.

Section 47, pertaining to the Department of Transportation, page 152, line 4557:

The General Assembly seeks to appropriate \$8,000,000 in state general funds to the Department of Transportation for the Rail program to upgrade shortline railroads to Class II standards to help reduce truck traffic on state highways. The department has existing available capital funding of \$35 million through prior year bond authorizations. The department should prioritize utilizing existing available balances for shortline rail upgrades before additional funds are authorized. Therefore, the department is directed to disregard the language included in line 4557 and utilize the funds for a rail extension in Bryan County.

LINE-ITEM VETOES BY THE GOVERNOR

Section 50, pertaining to the Georgia General Obligation Debt Sinking Fund, page 162, line 4780:

The General Assembly authorizes the appropriation of \$432,718 in debt service for the purpose of financing projects and facilities for the Technical College System of Georgia, specifically for the design of the Logistics, Transportation and Manufacturing Complex at West Georgia Technical College, through the issuance of \$1,870,000 in 5-year taxable general obligation bonds. This project was identified as a lower priority by the Technical College System of Georgia and the total cost of the project over the next three years would exceed the annual capital planning amount for the System. Therefore, I veto this authorization (page 162, line 4780) in the provisions relative to Section 50: Georgia General Obligation Debt Sinking Fund and the state general funds of \$432,718.

Section 50, pertaining to the Georgia General Obligation Debt Sinking Fund, page 162, line 4782:

The General Assembly authorizes the appropriation of \$367,926 in debt service for the purpose of financing projects and facilities for the Technical College System of Georgia, specifically for the design of the Advanced Manufacturing Center at Columbus Technical College, through the issuance of \$1,590,000 in 5-year taxable general obligation bonds. This project was identified as

a lower priority by the Technical College System of Georgia and the total cost of the project over the next three years would exceed the annual capital planning amount for the System. Therefore, I veto this authorization (page 162, line 4782) in the provisions relative to Section 50: Georgia General Obligation Debt Sinking Fund and the state general funds of \$367,926.

Section 50, pertaining to the Georgia General Obligation Debt Sinking Fund, page 163, line 4785:

The General Assembly authorizes the appropriation of \$363,200 in debt service for the purpose of financing projects and facilities for the Technical College System of Georgia, specifically for land acquisition for a new Technology Center at Georgia Piedmont Technical College in Dekalb County, through the issuance of \$4,000,000 in 20-year taxable general obligation bonds. The amount authorized provides only half of the amount necessary to acquire the land needed for the project. Capital authorizations should meet the full need for the phase of the project to ensure it does not create an outyear liability for a future legislature. Therefore, I veto this authorization (page 163, line 4785) in the provisions relative to Section 50: Georgia General Obligation Debt Sinking Fund and the state general funds of \$363,200.

Section 50, pertaining to the Georgia General Obligation Debt Sinking Fund, page 166, line 4813:

The General Assembly authorizes the appropriation of \$268,768 in debt service for the purpose of financing projects and facilities for the Department of Transportation, specifically to upgrade shortline railroads to Class II rail, through the issuance of \$2,960,000 in 20-year taxable general obligation bonds. The Department has existing available capital funding of \$35 million through prior year bond authorizations. The Department should prioritize utilizing existing available balances for shortline rail upgrades before additional funds are authorized. Therefore, I veto this authorization (page 166, line 4813) in the provisions relative to Section 50: Georgia General Obligation Debt Sinking Fund and the state general funds of \$268,768.