

Representative Hall, Atlanta, Georgia**Thursday, February 17, 2011****Sixteenth Legislative Day**

The House met pursuant to adjournment at 10:00 o'clock, A.M., this day and was called to order by the Speaker.

The roll was called and the following Representatives answered to their names:

Abrams	Dawkins-Haigler	E Hill	McBrayer	Sheldon
Allison	Dempsey	Holcomb	McKillip	Sims, B
Amerson	Dickerson	Holmes	Meadows	Sims, C
Anderson	Dickson	Holt	Mills	Smith, E
Ashe	Dobbs	Horne	Mitchell	Smith, K
Atwood	Drenner	Houston	Morris	Smith, L
Baker	Dudgeon	Huckaby	Murphy	Smith, R
Battles	Dukes	Hugley	Neal, J	Smith, T
Bearden	Dutton	Jackson	Neal, Y	Smyre
E Beasley-Teague	Ehrhart	E Jacobs	Nix	Spencer
Bell	England	E James	Oliver	Stephens, M
E Benfield	Epps, C	Jasperse	O'Neal	Stephens, R
Benton	Epps, J	E Jerguson	Pak	E Stephenson
Black	Evans	E Johnson	E Parent	Talton
Braddock	Fludd	Jones, J	Parrish	Tankersley
Brockway	Franklin	Jones, S	Parsons	Taylor, D
Bruce	Frazier	Jordan	Peake	Taylor, T
Bryant	Fullerton	Kaiser	Powell, J	Teasley
Buckner	Gardner	Kendrick	Pruett	Thomas
Burns	Geisinger	Kidd	Purcell	Tinubu
Byrd	Golick	Knight	Ramsey	Walker
Carter	Gordon	Lane	Reece	Watson
Casas	Greene	Lindsey	Rice	Welch
Channell	Hamilton	Long	Riley	Wilkerson
Cheokas	Hanner	Maddox, B	Roberts	Wilkinson
Clark, J	Harden, M	Maddox, G	Rogers	Willard
Clark, V	Harrell	Manning	Rynders	Williams, A
Coleman	Hatchett	Marin	Scott, M	Williams, E
Collins	Hatfield	Martin	Scott, S	Williams, R
Cooke	Heard	Maxwell	Setzler	Williamson
Coomer	E Heckstall	Mayo	Shaw	Yates
Crawford	Hembree			

The following members were off the floor of the House when the roll was called:

Representatives Abdul-Salaam of the 74th, Austin of the 10th, Brooks of the 63rd, Cooper of the 41st, Davis of the 109th, Dollar of the 45th, Henson of the 87th, Howard of the 121st, Hudson of the 124th, Lucas of the 139th, Morgan of the 39th, Mosby of the 90th, Powell of the 29th, and Taylor of the 55th.

They wished to be recorded as present.

Due to a mechanical malfunction, Representative Ralston of the 7th was not recorded on the attendance roll call. He wished to be recorded as present.

Prayer was offered by Bishop Luis R. Zarama, Archdiocese of Atlanta, Atlanta, Georgia.

The members pledged allegiance to the flag.

Representative Cheokas of the 134th, Vice-Chairman of the Committee on Information and Audits, reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

By unanimous consent, the following was established as the order of business during the first part of the period of unanimous consents:

1. Introduction of Bills and Resolutions.
2. First reading and reference of House Bills and Resolutions.
3. Second reading of Bills and Resolutions.
4. Reports of Standing Committees.
5. Third reading and passage of Local uncontested Bills.
6. First reading and reference of Senate Bills and Resolutions.

By unanimous consent, the following Bills of the House were introduced, read the first time and referred to the Committees:

HB 264. By Representatives Carter of the 175th, Wilkinson of the 52nd, Stephens of the 164th, Collins of the 27th and Huckaby of the 113th:

A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions relative to the Georgia Council for the Arts, so as to revise certain provisions as to the power, authority, duties, and related matters of the

director of the Office of Planning and Budget and the Office of Planning and Budget so that such power, authority, duties, and related matters shall now be vested in and carried out by the commissioner of economic development and the Department of Economic Development; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Economic Development & Tourism.

HB 266. By Representative Yates of the 73rd:

A BILL to be entitled an Act to amend Code Section 16-11-130 of the Official Code of Georgia Annotated, relating to exemptions from Code Sections 16-11-126 through 16-11-127.2, concerning carrying weapons, so as to authorize constables to be able to carry weapons under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety & Homeland Security.

HB 267. By Representative Jones of the 44th:

A BILL to be entitled an Act to amend Part 2 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to competencies and core curriculum under the "Quality Basic Education Act," so as to require the Department of Education to develop a comprehensive strategy and uniform program regarding the dangers of sending texts featuring explicit images; to provide for implementation; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HB 268. By Representatives Purcell of the 159th, Bryant of the 160th, Stephens of the 164th, Greene of the 149th, Gordon of the 162nd and others:

A BILL to be entitled an Act to amend Chapter 66 of Title 36 of the Official Code of Georgia Annotated, relating to zoning procedures, so as to provide for notice of rezoning hearings; to require that a sign be posted on property sought to be rezoned; to provide that certain information be posted; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 269. By Representatives Rice of the 51st, Austin of the 10th, Powell of the 29th, Harden of the 28th and Yates of the 73rd:

A BILL to be entitled an Act to amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, so as to provide for definitions; to provide that a driver granted a license due to an impairment of his or her parent or guardian must be accompanied while driving; to provide a definition of immediate family; to amend Chapter 16 of Title 40 of the Official Code of Georgia Annotated, relating to the Department of Driver Services, so as to grant authority to the commissioner to conduct background checks for certain applicants; to amend Chapter 8 of Title 42 of the Official Code of Georgia Annotated, relating to probation, so as to exempt certain transactions relating to ignition interlock devices from subject matter jurisdiction requirement; to repeal conflicting laws; to provide for related matters; and for other purposes.

Referred to the Committee on Motor Vehicles.

HB 270. By Representatives Kidd of the 141st and Powell of the 29th:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and primaries generally, so as to provide for the nonpartisan election of sheriffs, district attorneys, and solicitor generals; to provide for the qualifying for such offices; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 271. By Representatives Walker of the 107th, Sheldon of the 105th, Jones of the 46th, Coleman of the 97th and Casas of the 103rd:

A BILL to be entitled an Act to amend Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to other educational programs under the "Quality Basic Education Act," so as to enact the "Georgia Student Extracurricular Partnership Act"; to provide for legislative findings; to provide for definitions; to authorize a public school to allow charter school students in grades kindergarten through 12 living in the attendance zone of the public school to participate in extracurricular activities at such school; to provide that such student be subject to all academic and nonacademic rules, regulations, and codes of conduct as would apply to students at the public school; to provide for rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

- HB 272. By Representatives Weldon of the 3rd, Lane of the 167th, Bryant of the 160th, Atwood of the 179th, Huckaby of the 113th and others:

A BILL to be entitled an Act to amend Part 2 of Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to juvenile court administration, so as to delete provisions relative to a rehearing on the order of an associate juvenile court judge; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

- HB 273. By Representatives Black of the 174th, Roberts of the 154th, Hugley of the 133rd, Smith of the 168th, Hatchett of the 143rd and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 7 of Title 34 of the Official Code of Georgia Annotated, relating to the employer's liability for injuries to railroad employees, so as to provide standards for motor common or contract carriers transporting railroad employees within this state; to provide for a definition; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Transportation.

- HB 274. By Representatives Nix of the 69th, Anderson of the 117th, Stephens of the 164th, Maddox of the 127th and Mosby of the 90th:

A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to general provisions relative to solid waste management, so as to change certain provisions relating to declaration of policy and legislative intent relative to solid waste management; to define and redefine certain terms; to change certain provisions relating to permits for solid waste or special solid waste handling, disposal, or thermal treatment technology facilities and inspection of solid waste generators; to change certain provisions relating to number of solid waste facilities within a given area; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources & Environment.

- HB 275. By Representatives Cheokas of the 134th, Cooper of the 41st, Carter of the 175th, Clark of the 104th, Harden of the 147th and others:

A BILL to be entitled an Act to amend Chapter 39 of Title 31 of the Official Code of Georgia Annotated, relating to cardiopulmonary resuscitation, so as to clarify the health care providers authorized to effectuate an order not to resuscitate; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

HB 276. By Representatives Dawkins-Haigler of the 93rd, Benton of the 31st, Talton of the 145th, Morgan of the 39th, Mayo of the 91st and others:

A BILL to be entitled an Act to amend Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to students in elementary and secondary education, so as to provide for parent conferences when a student receives a failing grade on two consecutive report cards in a subject or course; to provide for proceedings against a parent or guardian who fails to attend such conference; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HB 277. By Representatives Shaw of the 176th, Maddox of the 172nd, Roberts of the 154th, Williams of the 165th, Black of the 174th and others:

A BILL to be entitled an Act to amend Part 1 of Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to hunting, so as to regulate the baiting and hunting of deer and feral hogs; to change certain provisions relating to unlawful enticement of game; to change certain provisions relating to seasons and bag limits, promulgation of rules and regulations by the Board of Natural Resources, possession of more than bag limit, and reporting number of deer killed; to change certain provisions relating to restrictions on hunting feral hogs; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Game, Fish, & Parks.

HB 278. By Representatives Bearden of the 68th, Cooke of the 18th, Roberts of the 154th, Powell of the 29th, Clark of the 98th and others:

A BILL to be entitled an Act to amend Chapter 9 of Title 31 of the Official Code of Georgia Annotated, relating to consent for surgical or medical treatment, so as to provide for the nourishment or hydration of a person receiving health care; to amend Chapter 32 of Title 31 of the Official Code of

Georgia Annotated, relating to advance directives for health care, so as to provide for definitions; to provide for a form; to provide that declarants shall be entitled to nourishment or hydration under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Human Relations & Aging.

HB 279. By Representatives Powell of the 29th, Rice of the 51st, Meadows of the 5th, Cooper of the 41st, Abrams of the 84th and others:

A BILL to be entitled an Act to amend Chapter 8 of Title 40 of the Official Code of Georgia Annotated, relating to equipment and inspection of motor vehicles, so as to increase age requirements for use of child restraint systems; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Motor Vehicles.

By unanimous consent, the following Bills and Resolutions of the House and Senate were read the second time:

HB 251	HB 252
HB 253	HB 254
HB 255	HB 256
HB 257	HB 258
HB 259	HB 260
HB 261	HB 262
HB 263	HB 265
HR 292	SR 30

Representative Cooper of the 41st District, Chairman of the Committee on Health and Human Services, submitted the following report:

Mr. Speaker:

Your Committee on Health and Human Services has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 227 Do Pass, by Substitute

Respectfully submitted,
/s/ Cooper of the 41st
Chairman

Representative Sims of the 169th District, Chairman of the Committee on Intragovernmental Coordination, submitted the following report:

Mr. Speaker:

Your Committee on Intragovernmental Coordination - Local Legislation has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 207	Do Pass	HB 218	Do Pass
HB 219	Do Pass	HB 220	Do Pass
HB 221	Do Pass	HB 244	Do Pass

Respectfully submitted,
/s/ Sims of the 169th
Chairman

The following report of the Committee on Rules was read and adopted:

HOUSE RULES CALENDAR
THURSDAY, FEBRUARY 17, 2011

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 16th Legislative Day as enumerated below:

DEBATE CALENDAR

Open Rule

HB 101 Bicycles; safety; change provisions (Substitute)(PS&HS-McKillip-115th)

Modified Open Rule

HB 99 Nurses; fingerprint record checks for licensure; require (H&HS-Clark-104th)

HB 130 Career and Technical Education Advisory Commission; meetings; change certain provisions (Ed-Maxwell-17th)

Modified Structured Rule

HB 91 Drivers' licenses; felony offense demarcated on license; provisions (Substitute) (PS&HS-Bearden-68th) (AM# 35 0221)

HB 145 Georgia Physical Therapy Act; revise a definition (H&HS-Hatchett-143rd)

Structured Rule

None

Bills and Resolutions on this calendar may be called in any order the Speaker desires.

Respectfully submitted,
/s/ Meadows of the 5th
Chairman

Pursuant to HR 244, the House commended the Honorable Larry Walker and invited him to be recognized by the House of Representatives.

Pursuant to HR 94, the House commended the Georgia Peach Festival and invited the 2010 Georgia Peach Queens to appear before the House of Representatives.

By unanimous consent, the following Bills of the House were taken up for consideration and read the third time:

HB 207. By Representative Walker of the 107th:

A BILL to be entitled an Act to provide a new charter for the City of Grayson, Georgia amending an Act creating the City of Grayson, Georgia approved December 16, 1901 (Ga. L. 1901, P. 662), as amended; to provide for incorporation, boundaries, and powers of the city, both specific and general; to provide for construction of powers, exercise of powers and ordinances of the city; to provide the ability to sue and be sued; to provide for the governing authority of such city, the terms of office, qualification for office, the creation of vacancies, and the filling of vacancies in office; to provide for compensation of members of the governing authority; to provide prohibitions for elected officials; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 218. By Representative Battles of the 15th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Emerson ad valorem taxes for municipal purposes in the amount of \$10,000.00 of the assessed value of the homestead for residents of that city who are 62 years of age or over and whose income, excluding certain

retirement income, does not exceed \$10,000.00; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 219. By Representative Battles of the 15th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Emerson ad valorem taxes for municipal purposes in the amount of \$40,000.00 of the assessed value of the homestead for residents of that city who are 65 years of age or over; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 220. By Representative Battles of the 15th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Emerson ad valorem taxes for municipal purposes in the amount of \$10,000.00 of the assessed value of the homestead for residents of that city; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 221. By Representative Battles of the 15th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Emerson ad valorem taxes for municipal purposes in the amount of \$28,000.00 of the assessed value of the homestead for residents of that city who are disabled and whose household income does not exceed \$20,000.00; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to

provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 244. By Representative Greene of the 149th:

A BILL to be entitled an Act to amend an Act reincorporating the City of Arlington in the County of Calhoun and Early, State of Georgia, approved April 10, 1971 (Ga. L. 1971, p. 3885), as amended, particularly by an Act approved May 16, 2007 (Ga. L. 2007, p. 3622), so as to provide for duties of the mayor; to provide for administrative departments and officers thereof; to provide for appointment, qualifications, and compensation of a city manager; to provide for powers and duties of the city manager; to prohibit certain council interference with administration; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

By unanimous consent, the following roll call vote was made applicable to the previously read Bills.

On the passage of the Bills, the roll call was ordered and the vote was as follows:

Abdul-Salaam	Y Davis	Y Hembree	Y McBrayer	Y Sheldon
Y Abrams	Y Dawkins-Haigler	Y Henson	Y McCall	Y Sims, B
Y Allison	Y Dempsey	Y Hill	Y McKillip	Y Sims, C
Y Amerson	Y Dickerson	Y Holcomb	Y Meadows	Y Smith, E
Y Anderson	Y Dickson	Y Holmes	Y Mills	Y Smith, K
Y Ashe	Y Dobbs	Holt	Y Mitchell	Y Smith, L
Y Atwood	Dollar	Y Horne	Y Morgan	Y Smith, R
Y Austin	E Drenner	Y Houston	Y Morris	Y Smith, T
Y Baker	Y Dudgeon	Y Howard	Y Mosby	Y Smyre
Y Battles	Y Dukes	Y Huckaby	Y Murphy	Y Spencer
Y Bearden	Y Dutton	Y Hudson	Y Neal, J	Y Stephens, M
Y Beasley-Teague	Y Ehrhart	Y Hugley	Y Neal, Y	Y Stephens, R
Y Bell	Y England	Y Jackson	Y Nix	E Stephenson
E Benfield	Y Epps, C	E Jacobs	Y Oliver	Y Talton
Y Benton	Y Epps, J	E James	Y O'Neal	Y Tankersley
Y Black	Y Evans	Y Jasperse	Y Pak	Y Taylor, D
Y Braddock	Floyd	E Jerguson	Y Parent	Y Taylor, R
Y Brockway	Fludd	E Johnson	Y Parrish	Y Taylor, T
Y Brooks	Franklin	Y Jones, J	Parsons	Y Teasley
Y Bruce	Y Frazier	Y Jones, S	Y Peake	Y Thomas
Y Bryant	Y Fullerton	Y Jordan	Y Powell, A	Y Tinubu
Y Buckner	Y Gardner	Y Kaiser	Y Powell, J	VACANT

Y Burns	Y Geisinger	Y Kendrick	Y Pruett	VACANT
Y Byrd	Y Golick	Y Kidd	Y Purcell	Y Walker
Y Carter	Y Gordon	Y Knight	Y Ramsey	Y Watson
Y Casas	Y Greene	Y Lane	Y Randall	Y Welch
Y Channell	Y Hamilton	Y Lindsey	Y Reece	Y Weldon
Y Cheokas	Y Hanner	Y Long	Y Rice	Y Wilkerson
Y Clark, J	Y Harbin	Y Lucas	Y Riley	Y Wilkinson
Y Clark, V	Y Harden, B	Y Maddox, B	Y Roberts	Willard
Y Coleman	Y Harden, M	Y Maddox, G	Y Rogers	Y Williams, A
Y Collins	Harrell	Y Manning	Y Rynders	Y Williams, E
Y Cooke	Y Hatchett	Y Marin	Y Scott, M	Y Williams, R
Y Coomer	Y Hatfield	Y Martin	Y Scott, S	Williamson
Cooper	Y Heard	Y Maxwell	E Setzler	Y Yates
Y Crawford	Y Heckstall	Y Mayo	Y Shaw	Ralston, Speaker

On the passage of the Bills, the ayes were 158, nays 0.

The Bills, having received the requisite constitutional majority, were passed.

Representative Cooper of the 41st stated that she had been called from the floor of the House during the preceding roll call. She wished to be recorded as voting "aye" thereon.

The following message was received from the Senate through Mr. Ewing, the Secretary thereof:

Mr. Speaker:

The Senate has passed by the requisite constitutional majority the following bills of the House:

HB 104. By Representatives Bearden of the 68th, Cooke of the 18th and Nix of the 69th:

A BILL to be entitled an Act to provide for a method of distribution of the net proceeds of the sales tax for education purposes levied in Carroll County; to provide for the method of distribution of proceeds of such tax between the Carroll County School District and the independent school districts located wholly or partially within Carroll County, including particularly the City of Carrollton School System and the City of Bremen School System; to provide for authority under Article VIII, Section VI, Paragraph IV of the Constitution; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 105. By Representative Spencer of the 180th:

A BILL to be entitled an Act to amend an Act providing for a new charter for the City of St. Marys, Georgia, approved April 9, 1981 (Ga. L. 1981, p. 4763), as amended, particularly by an Act approved April 4, 1996 (Ga. L. 1996, p. 4100), and a home rule amendment filed in the Office of the Secretary of State on February 28, 2005 (Ga. L. 2005, p. 4277), so as to provide for elections of the mayor and councilmembers in even-numbered years; to provide for related matters; to provide for a referendum; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 106. By Representative Spencer of the 180th:

A BILL to be entitled an Act to amend an Act providing for a new charter for the City of St. Marys, Georgia, approved April 9, 1981 (Ga. L. 1981, p. 4763), as amended, particularly by an Act approved April 4, 1996 (Ga. L. 1996, p. 4100), and a home rule amendment filed in the Office of the Secretary of State on February 28, 2005 (Ga. L. 2005, p. 4277), so as to provide for the election of the mayor and councilmembers by a simple majority by the voters of the entire city; to provide for related matters; to provide for a referendum; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 108. By Representatives Benton of the 31st and Harden of the 28th:

A BILL to be entitled an Act to amend an Act providing for a new charter for the City of Maysville, approved June 2, 2010 (Ga. L. 2010, p. 3959), so as to change the provisions regarding election of members of the city council and to establish ward boundaries and provide for election of members from such wards; to provide for related matters; to provide for submission of this Act for preclearance under the federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other purposes.

HB 122. By Representatives Frazier of the 123rd, Jackson of the 142nd and Burns of the 157th:

A BILL to be entitled an Act to provide a new charter for the City of Waynesboro; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, vacancies, compensation, expenses, qualifications, prohibitions, conflicts of interest, and suspension and removal from office relative to members of such governing authority; to provide for inquiries and investigations; to provide for oaths, organization, meetings, quorum, voting, rules, and procedures; to provide for ordinances and codes; to provide for a

mayor and mayor pro tempore and certain duties, powers, and other matters relative thereto; to repeal a specific Act; to repeal conflicting laws; and for other purposes.

The following members were recognized during the period of Morning Orders and addressed the House:

Hugley of the 133rd, Bearden of the 68th, Sims of the 169th, Pruett of the 144th, Williams of the 165th, Golick of the 34th, and Frazier of the 123rd.

Under the general order of business, established by the Committee on Rules, the following Bills of the House were taken up for consideration and read the third time:

HB 99. By Representatives Clark of the 104th, Cooper of the 41st, Sims of the 119th, Rynders of the 152nd, Parsons of the 42nd and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to licensed practical nurses, so as to require fingerprint record checks for applicants for licensure as a licensed practical nurse; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

Abdul-Salaam	Y Davis	Y Hembree	N McBrayer	Y Sheldon
Y Abrams	Dawkins-Haigler	Y Henson	Y McCall	Y Sims, B
Y Allison	Y Dempsey	Y Hill	Y McKillip	Y Sims, C
Y Amerson	Y Dickerson	Y Holcomb	Y Meadows	Y Smith, E
Y Anderson	Y Dickson	Y Holmes	Y Mills	Y Smith, K
Y Ashe	Y Dobbs	Y Holt	Y Mitchell	Y Smith, L
Y Atwood	Dollar	N Horne	Y Morgan	Y Smith, R
Y Austin	E Drenner	Y Houston	Y Morris	Y Smith, T
Y Baker	Y Dudgeon	Y Howard	Y Mosby	Y Smyre
Y Battles	Y Dukes	Y Huckaby	Y Murphy	N Spencer
Y Bearden	N Dutton	Hudson	Y Neal, J	Y Stephens, M
Y Beasley-Teague	Y Ehrhart	Y Hugley	Y Neal, Y	Y Stephens, R
Y Bell	Y England	Y Jackson	Y Nix	E Stephenson
Y Benfield	Y Epps, C	Y Jacobs	Y Oliver	Y Talton
Benton	Y Epps, J	E James	Y O'Neal	Y Tankersley
Y Black	Y Evans	Y Jasperse	Y Pak	Y Taylor, D
N Braddock	Y Floyd	E Jerguson	Y Parent	Y Taylor, R
Y Brockway	Y Fludd	E Johnson	Y Parrish	Y Taylor, T
Y Brooks	N Franklin	Y Jones, J	Y Parsons	Y Teasley
Y Bruce	Y Frazier	Y Jones, S	Y Peake	Y Thomas
Y Bryant	Y Fullerton	Y Jordan	Y Powell, A	Y Tinubu

Y Buckner	Y Gardner	Y Kaiser	Y Powell, J	VACANT
Y Burns	Y Geisinger	Y Kendrick	N Pruett	VACANT
N Byrd	Y Golick	Y Kidd	Y Purcell	Y Walker
Y Carter	Y Gordon	Y Knight	Y Ramsey	Y Watson
Y Casas	Y Greene	Y Lane	Y Randall	Y Welch
Y Channell	Y Hamilton	Y Lindsey	Y Reece	Weldon
Y Cheokas	Y Hanner	Y Long	Y Rice	Y Wilkerson
Y Clark, J	Y Harbin	Y Lucas	Y Riley	Y Wilkinson
Y Clark, V	Y Harden, B	Y Maddox, B	Y Roberts	Y Willard
Y Coleman	Y Harden, M	Y Maddox, G	Y Rogers	Y Williams, A
Y Collins	Y Harrell	Y Manning	Y Rynders	Y Williams, E
Y Cooke	Y Hatchett	Y Marin	Y Scott, M	Y Williams, R
Y Coomer	N Hatfield	Y Martin	Y Scott, S	Y Williamson
Y Cooper	Y Heard	Y Maxwell	E Setzler	Y Yates
Y Crawford	Y Heckstall	Y Mayo	Y Shaw	Ralston, Speaker

On the passage of the Bill, the ayes were 156, nays 9.

The Bill, having received the requisite constitutional majority, was passed.

Representatives Dawkins-Haigler of the 93rd and Hudson of the 124th stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

HB 145. By Representatives Hatchett of the 143rd, Cooper of the 41st, Ramsey of the 72nd, Lindsey of the 54th and Watson of the 163rd:

A BILL to be entitled an Act to amend Code Section 43-33-3 of the Official Code of Georgia Annotated, relating to definitions relative to the "Georgia Physical Therapy Act"; so as to revise a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

Abdul-Salaam	Y Davis	Y Hembree	Y McBrayer	Y Sheldon
Y Abrams	Y Dawkins-Haigler	Y Henson	Y McCall	Y Sims, B
Y Allison	Y Dempsey	Y Hill	Y McKillip	Y Sims, C
Y Amerson	Y Dickerson	Y Holcomb	Y Meadows	Y Smith, E
Y Anderson	Y Dickson	Y Holmes	Y Mills	Y Smith, K
Y Ashe	Y Dobbs	Y Holt	Y Mitchell	Y Smith, L
Y Atwood	Dollar	Y Horne	Y Morgan	Y Smith, R
Y Austin	E Drenner	Y Houston	Y Morris	Y Smith, T
Y Baker	Y Dudgeon	Y Howard	Y Mosby	Y Smyre
Y Battles	Y Dukes	Y Huckaby	Y Murphy	Y Spencer
Y Bearden	Y Dutton	Hudson	Y Neal, J	Y Stephens, M
Y Beasley-Teague	Y Ehrhart	Y Hugley	Y Neal, Y	Y Stephens, R

Y Bell	Y England	Y Jackson	Y Nix	E Stephenson
Y Benfield	Y Epps, C	Y Jacobs	Y Oliver	Y Talton
Benton	Y Epps, J	E James	Y O'Neal	Y Tankersley
Y Black	Y Evans	Y Jasperse	Y Pak	Y Taylor, D
Y Braddock	Y Floyd	E Jerguson	Y Parent	Y Taylor, R
Y Brockway	Y Fludd	E Johnson	Y Parrish	Y Taylor, T
Y Brooks	N Franklin	Y Jones, J	Y Parsons	Y Teasley
Y Bruce	Y Frazier	Y Jones, S	Y Peake	Y Thomas
Y Bryant	Y Fullerton	Y Jordan	Y Powell, A	Y Tinubu
Y Buckner	Y Gardner	Y Kaiser	Y Powell, J	VACANT
Y Burns	Y Geisinger	Y Kendrick	Y Pruett	VACANT
Y Byrd	Y Golick	Y Kidd	Y Purcell	Y Walker
Y Carter	Y Gordon	Y Knight	Y Ramsey	Y Watson
Y Casas	Y Greene	Y Lane	Y Randall	Y Welch
Y Channell	Y Hamilton	Y Lindsey	Y Reece	Y Weldon
Y Cheokas	Y Hanner	Y Long	Y Rice	Y Wilkerson
Y Clark, J	Y Harbin	Y Lucas	Y Riley	Y Wilkinson
Y Clark, V	Y Harden, B	Y Maddox, B	Y Roberts	Y Willard
Y Coleman	Y Harden, M	Y Maddox, G	Y Rogers	Y Williams, A
Y Collins	Y Harrell	Y Manning	Y Rynders	Y Williams, E
Y Cooke	Y Hatchett	Y Marin	Y Scott, M	Y Williams, R
Y Coomer	Y Hatfield	Y Martin	Y Scott, S	Y Williamson
Y Cooper	Y Heard	Y Maxwell	E Setzler	Y Yates
Crawford	Y Heckstall	Y Mayo	Y Shaw	Ralston, Speaker

On the passage of the Bill, the ayes were 164, nays 1.

The Bill, having received the requisite constitutional majority, was passed.

Representative Hudson of the 124th stated that she had been called from the floor of the House during the preceding roll call. She wished to be recorded as voting "aye" thereon.

HB 130. By Representatives Maxwell of the 17th, England of the 108th, Nix of the 69th, Carter of the 175th, Coleman of the 97th and others:

A BILL to be entitled an Act to amend Code Section 20-14-91 of the Official Code of Georgia Annotated, relating to the Career and Technical Education Advisory Commission, so as to change certain provisions relating to commission meetings; to repeal an automatic termination provision; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

Abdul-Salaam	Y Davis	Y Hembree	Y McBrayer	Y Sheldon
Y Abrams	Y Dawkins-Haigler	Y Henson	Y McCall	Y Sims, B
Y Allison	Y Dempsey	Y Hill	Y McKillip	Y Sims, C
Y Amerson	Y Dickerson	Y Holcomb	Y Meadows	Y Smith, E
Y Anderson	Y Dickson	Y Holmes	Y Mills	Y Smith, K
Y Ashe	Y Dobbs	Y Holt	Y Mitchell	Y Smith, L
Y Atwood	Dollar	Y Horne	Y Morgan	Y Smith, R
Y Austin	E Drenner	Y Houston	Y Morris	Y Smith, T
Y Baker	Y Dudgeon	Y Howard	Y Mosby	Y Smyre
Y Battles	Y Dukes	Y Huckaby	Y Murphy	Y Spencer
Y Bearden	Y Dutton	Hudson	Y Neal, J	Y Stephens, M
Y Beasley-Teague	Y Ehrhart	Y Hugley	Y Neal, Y	Y Stephens, R
Y Bell	Y England	Y Jackson	Y Nix	E Stephenson
Y Benfield	Y Epps, C	Y Jacobs	Y Oliver	Y Talton
Benton	Y Epps, J	E James	Y O'Neal	Y Tankersley
Y Black	Y Evans	Y Jasperse	Y Pak	Y Taylor, D
Y Braddock	Y Floyd	E Jerguson	Y Parent	Y Taylor, R
Y Brockway	Y Fludd	E Johnson	Y Parrish	Y Taylor, T
Y Brooks	Y Franklin	Y Jones, J	Y Parsons	Y Teasley
Y Bruce	Y Frazier	Y Jones, S	Y Peake	Y Thomas
Y Bryant	Y Fullerton	Y Jordan	Y Powell, A	Y Tinubu
Y Buckner	Y Gardner	Y Kaiser	Y Powell, J	VACANT
Y Burns	Y Geisinger	Y Kendrick	Y Pruett	VACANT
Y Byrd	Y Golick	Kidd	Y Purcell	Y Walker
Y Carter	Y Gordon	Y Knight	Ramsey	Y Watson
Y Casas	Y Greene	Y Lane	Y Randall	Y Welch
Y Channell	Y Hamilton	Y Lindsey	Y Reece	Weldon
Y Cheokas	Y Hanner	Y Long	Y Rice	Y Wilkerson
Y Clark, J	Y Harbin	Y Lucas	Y Riley	Y Wilkinson
Y Clark, V	Y Harden, B	Y Maddox, B	Y Roberts	Y Willard
Y Coleman	Y Harden, M	Y Maddox, G	Y Rogers	Y Williams, A
Y Collins	Y Harrell	Y Manning	Y Rynders	Y Williams, E
Y Cooke	Y Hatchett	Y Marin	Y Scott, M	Y Williams, R
Y Coomer	Y Hatfield	Y Martin	Y Scott, S	Y Williamson
Y Cooper	Y Heard	Y Maxwell	E Setzler	Y Yates
Y Crawford	Y Heckstall	Y Mayo	Y Shaw	Ralston, Speaker

On the passage of the Bill, the ayes were 164, nays 0.

The Bill, having received the requisite constitutional majority, was passed.

Representative Hudson of the 124th stated that she had been called from the floor of the House during the preceding roll call. She wished to be recorded as voting "aye" thereon.

HB 101. By Representatives McKillip of the 115th and Holt of the 112th:

A BILL to be entitled an Act to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for safer bicycle riding for bicyclists and the motoring public; to provide for definitions; to change provisions relating to parking a motor vehicle; to

change provisions relating to traffic laws being applicable to bicycles; to change provisions relating to the transporting of children under the age of one year on a bicycle; to change provisions relating to riding on roadways and bicycle paths; to change provisions relating to equipment on bicycles; to legalize the use of recumbent bicycles; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read:

A BILL TO BE ENTITLED
AN ACT

To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for safer bicycle riding for bicyclists and the motoring public; to provide for definitions; to change provisions relating to parking a motor vehicle; to change provisions relating to traffic laws being applicable to bicycles; to change provisions relating to the transporting of children under the age of one year on a bicycle; to change provisions relating to riding on roadways and bicycle paths; to change provisions relating to equipment on bicycles; to legalize the use of recumbent bicycles; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is amended by revising Code Section 40-1-1, relating to definitions, by revising paragraphs (6.1) and (6.2) and adding a new paragraph to read as follows:

"(6.1) 'Bicycle lane' means a portion of the roadway that has been designated by striping, pavement markings, or signage for the exclusive or preferential use of persons operating bicycles. Bicycle lanes shall at a minimum, unless impracticable, be required to meet accepted guidelines, recommendations, and criteria with respect to planning, design, operation, and maintenance as set forth by the American Association of State Highway and Transportation Officials.

(6.2) 'Bicycle path' means a right of way under the jurisdiction and control of this state or a local political subdivision thereof designated for use by bicycle riders.

~~(6.2)~~(6.3) 'Bicycle trailer' means every device pulled by a bicycle and designed by the manufacturer of such device to carry human passengers."

SECTION 2.

Said title is further amended in Article 3 of Chapter 6, relating to driving on the right side of the roadway, overtaking and passing, and following too closely, by adding a new Code section to read as follows:

"40-6-55.

Notwithstanding other provisions of this chapter relating to operating a vehicle on a roadway, where a bicycle lane is provided on the roadway, the operator of a motor vehicle shall yield to a person operating a bicycle in a bicycle lane and shall not block or impede the bicycle lane from bicycle traffic."

SECTION 3.

Said title is further amended by revising paragraph (1) of subsection (a) of Code Section 40-6-203, relating to stopping, standing, or parking prohibited in specified places, as follows:

"(1) Stop, stand, or park a vehicle:

- (A) On the roadway side of any vehicle stopped or parked at the edge of a curb of a street;
- (B) On a sidewalk;
- (C) Within an intersection;
- (D) On a crosswalk;
- (E) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
- (F) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
- (G) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- (H) On any railroad tracks;
- (I) On any controlled-access highway;
- (J) In the area between roadways of a divided highway, including crossovers; ~~or~~
- (K) At any place where official signs prohibit stopping; or
- (L) On or in a bicycle lane;"

SECTION 4.

Said title is further amended by revising Part 1 of Article 13 of Chapter 6, relating to bicycles and play vehicles, as follows:

"40-6-290.

The provisions of this part applicable to bicycles shall apply whenever a bicycle is operated upon a highway, upon a bicycle lane, or upon any bicycle path set aside for the exclusive use of bicycles, subject to those exceptions stated in this part.

40-6-291.

(a) The provisions of this chapter that apply to vehicles, but not exclusively to motor vehicles, shall apply to bicycles, except as provided in this Code section and except that the penalties prescribed in subsection (b) of Code Section 40-6-390, subsection (c) of Code Section 40-6-391, and subsection (a) of Code Section 40-6-393 shall not apply to persons riding bicycles.

(b) Notwithstanding the provisions of Code Section 40-6-50, any person operating a bicycle may ride upon a paved shoulder; provided, however, that such person shall not be required to ride upon a paved shoulder.

(c) Any person operating a bicycle may signal a right turn with his or her right arm and hand extended horizontally or with his or her left hand and arm extended upward. Such person shall not be required to signal continuously if the operator's hand is needed to control the bicycle.

40-6-292.

(a) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto and shall allow no person to ride upon the handlebars.

(b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

(c) No person shall transport a child under the age of one year as a passenger on a bicycle on a highway, roadway, bicycle path, bicycle lane, or sidewalk; ~~provided, however, that a child under the age of one year may be transported on a bicycle trailer or in an infant sling so long as such child is seated in the bicycle trailer or carried in an infant sling according to the bicycle trailer's or infant sling's manufacturer's instructions, and the bicycle trailer is properly affixed to the bicycle according to the bicycle trailer's manufacturer's instructions or the infant sling is properly worn by the rider of the bicycle according to the infant sling's manufacturer's instructions and such child transported in a bicycle trailer or infant sling is wearing a bicycle helmet as required under paragraph (1) of subsection (e) of Code Section 40-6-296.~~

(d) No child between the ages of one year and four years shall ride as a passenger on a bicycle or bicycle trailer or be transported in an infant sling unless the child is securely seated in a child passenger bicycle seat, bicycle trailer, or infant sling according to the child passenger bicycle seat's, bicycle trailer's, or infant sling's manufacturer's instructions and the child passenger seat or bicycle trailer is properly affixed to the bicycle according to the child passenger bicycle seat's or bicycle trailer's manufacturer's instructions or the infant sling is worn according to the infant sling's manufacturer's instructions.

(e) Violation of subsections (c) and (d) of this Code section shall not constitute negligence per se nor contributory negligence per se or be considered evidence of negligence or liability.

(f) No person under the age of 16 years failing to comply with subsections (c) and (d) of this Code section ~~may~~ shall be fined or imprisoned.

40-6-293.

No person riding upon any bicycle, coaster, roller skates, sled, or toy vehicle shall attach the same or himself or herself to any vehicle upon a roadway.

40-6-294.

(a) As used in this Code section, the term 'hazards to safe cycling' includes, but shall not be limited to, surface debris, rough pavement, drain grates which are parallel to the side of the roadway, parked or stopped vehicles, potentially opening car doors, or any other objects which threaten the safety of a person operating a bicycle.

(b) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, except when ~~turning~~:

(1) Turning left or avoiding;

(2) Avoiding hazards to safe cycling, when the;

(3) The lane is too narrow to share safely with a motor vehicle, when traveling;

(4) Traveling at the same speed as traffic, or while exercising;

(5) Exercising due care when passing a standing vehicle or one proceeding in the same direction; or

(6) There is a right turn only lane and the person operating the bicycle is not turning right;

provided, however, that every person operating a bicycle away from the right side of the roadway shall exercise reasonable care and shall give due consideration to the other applicable rules of the road. ~~As used in this subsection, the term 'hazards to safe cycling' includes, but is not limited to, surface debris, rough pavement, drain grates which are parallel to the side of the roadway, parked or stopped vehicles, potentially opening car doors, or any other objects which threaten the safety of a person operating a bicycle.~~

~~(b)~~(c) Persons riding bicycles upon a roadway shall not ride more than two abreast except on bicycle paths, bicycle lanes, or parts of roadways set aside for the exclusive use of bicycles, or when a special event permit issued by a local governing authority permits riding more than two abreast.

~~(e)~~(d) Whenever a usable bicycle path has been provided adjacent to a roadway and designated for the exclusive use of bicycle riders, then the appropriate governing authority may require that bicycle riders use such bicycle path and not use those sections of the roadway so specified by such local governing authority. The governing authority may be petitioned to remove restrictions upon demonstration that the bicycle path has become inadequate due to capacity, maintenance, or other causes.

~~(d)~~(e) Bicycle paths ~~Paths~~ subject to the provisions of subsection ~~(e)~~ (d) of this Code section shall at a minimum be required to meet accepted guidelines, recommendations, and criteria with respect to planning, design, operation, and maintenance as set forth by the American Association of State Highway and Transportation Officials, and such bicycle paths shall provide accessibility to destinations equivalent to the use of the roadway.

(f) Any person operating a bicycle in a bicycle lane shall ride in the same direction as traffic on the roadway.

~~(e)~~(g) Electric assisted bicycles ~~as defined in Code Section 40-1-1~~ may be operated on bicycle paths.

40-6-295.

No person operating a bicycle shall carry any package, bundle, or other article which prevents him or her from keeping at least one hand upon the handlebars.

40-6-296.

(a) Every bicycle when in use at nighttime shall be equipped with a light on the front which shall emit a white light visible from a distance of 300 feet to the front and with a light on the back which shall emit a red reflector on the rear of a type approved by the Department of Public Safety which shall be light visible from a distance of 300 feet to the rear ~~when directly in front of lawful upper beams of headlights on a motor vehicle. A light emitting a red light visible from a distance of 300 feet to the rear may be used in addition to the red reflector.~~

(b) Every bicycle sold or operated shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level pavement.

(c) No bicycle shall be equipped or operated while equipped with a set of handlebars so raised that the operator must elevate his or her hands above ~~his~~ the operator's shoulders in order to grasp the normal steering grip area.

~~(d) No bicycle shall be equipped, modified, or altered in such a way as to cause the pedal in its lowermost position to be more than 12 inches above the ground, nor shall any bicycle be operated if so equipped.~~

~~(e)~~(1) No person under the age of 16 years shall operate or be a passenger on a bicycle on a highway, bicycle path, bicycle lane, or sidewalk under the jurisdiction or control of this state or any local political subdivision thereof without wearing a bicycle helmet.

(2) For the purposes of this subsection, the term 'bicycle helmet' means a piece of protective headgear which meets or exceeds the impact standards for bicycle helmets set by the American National Standards Institute (ANSI) or the Snell Memorial Foundation.

(3) For the purposes of this subsection, a person shall be deemed to wear a bicycle helmet only if a bicycle helmet of good fit is fastened securely upon ~~the~~ such person's head with the straps of ~~the~~ such bicycle helmet.

(4) No bicycle without an accompanying protective bicycle helmet shall be rented or leased to or for the use of any person under the age of 16 years unless that person is in possession of a bicycle helmet at the time of the rental or lease.

(5) Violation of any provision of this subsection shall not constitute negligence per se nor contributory negligence per se or be considered evidence of negligence or liability.

(6) No person under the age of 16 failing to comply with any provision of this subsection ~~may~~ shall be fined or imprisoned.

40-6-297.

~~(a) It shall be unlawful for any person to sell a new bicycle or a pedal for use on a bicycle unless the pedals on such bicycle or such pedals are equipped with reflectors of~~

~~a type approved by the Department of Public Safety. The reflector on each pedal shall be so designed and situated as to be visible from the front and rear of the bicycle during darkness from a distance of 200 feet. The commissioner of public safety is authorized to promulgate rules and regulations and establish standards for such reflectors.~~

~~(b) This Code section shall not apply to any bicycle purchased prior to July 1, 1972, by a retailer for the purpose of resale.~~

~~40-6-298.~~

(a) It ~~is~~ shall be a misdemeanor for any person to do any act forbidden or fail to perform any act required in this part.

(b) The parent of any child and the guardian of any ward shall not authorize or knowingly permit such child or ward to violate any of the provisions of this part.

~~40-6-299.~~ 40-6-298.

The Board of Public Safety is authorized to promulgate rules and regulations to carry this part into effect and is authorized to establish regulations for any additional safety equipment or standards it shall require for bicycles."

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

The following amendment was read and adopted:

Representative McKillip of the 115th offers the following amendment:

Amend the substitute to HB 101 by inserting after the period on line 154 the following:

Any bicycle equipped with a red reflector on the rear that is approved by the Department of Public Safety shall not be required to have a light on the rear of the bicycle.

The Committee substitute, as amended, was adopted.

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to, as amended.

On the passage of the Bill, by substitute, as amended, the roll call was ordered and the vote was as follows:

Abdul-Salaam	N Davis	Y Hembree	N McBrayer	Y Sheldon
N Abrams	N Dawkins-Haigler	N Henson	Y McCall	Y Sims, B
Y Allison	Y Dempsey	N Hill	Y McKillip	Y Sims, C
Y Amerson	N Dickerson	Y Holcomb	Y Meadows	N Smith, E
N Anderson	Y Dickson	Y Holmes	Y Mills	Y Smith, K

Y Ashe	Y Dobbs	Y Holt	Y Mitchell	N Smith, L
Y Atwood	Y Dollar	N Horne	Y Morgan	Y Smith, R
Y Austin	E Drenner	Y Houston	N Morris	N Smith, T
Y Baker	Y Dudgeon	N Howard	N Mosby	N Smyre
Y Battles	N Dukes	Y Huckaby	N Murphy	N Spencer
Y Bearden	N Dutton	N Hudson	Y Neal, J	N Stephens, M
N Beasley-Teague	Y Ehrhart	N Hugley	Y Neal, Y	N Stephens, R
Y Bell	Y England	N Jackson	Y Nix	E Stephenson
N Benfield	N Epps, C	Y Jacobs	Y Oliver	Y Talton
Y Benton	Epps, J	E James	Y O'Neal	Y Tankersley
Black	N Evans	N Jasperse	Y Pak	Y Taylor, D
Y Braddock	N Floyd	N Jerguson	N Parent	N Taylor, R
Y Brockway	N Fludd	E Johnson	N Parrish	N Taylor, T
N Brooks	N Franklin	Y Jones, J	Y Parsons	Y Teasley
N Bruce	N Frazier	Y Jones, S	Y Peake	N Thomas
N Bryant	Y Fullerton	N Jordan	Y Powell, A	N Tinubu
N Buckner	N Gardner	Y Kaiser	Y Powell, J	VACANT
Y Burns	N Geisinger	N Kendrick	N Pruett	VACANT
N Byrd	Y Golick	Kidd	Y Purcell	N Walker
Y Carter	N Gordon	N Knight	Y Ramsey	Y Watson
N Casas	Y Greene	Y Lane	N Randall	N Welch
Y Channell	Y Hamilton	Y Lindsey	Y Reece	N Weldon
Y Cheokas	N Hanner	N Long	Y Rice	N Wilkerson
Y Clark, J	Harbin	N Lucas	N Riley	Y Wilkinson
Y Clark, V	N Harden, B	Y Maddox, B	Y Roberts	Y Willard
Y Coleman	Y Harden, M	Y Maddox, G	Y Rogers	N Williams, A
Y Collins	Y Harrell	Y Manning	N Rynders	N Williams, E
Y Cooke	Y Hatchett	Y Marin	Y Scott, M	N Williams, R
Y Coomer	N Hatfield	N Martin	N Scott, S	Y Williamson
Y Cooper	N Heard	Y Maxwell	E Setzler	Y Yates
Crawford	Y Heckstall	N Mayo	Y Shaw	Ralston, Speaker

On the passage of the Bill, by substitute, as amended, the ayes were 93, nays 73.

The Bill, having received the requisite constitutional majority, was passed, by substitute, as amended.

Representative Epps of the 140th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

Representative Parent of the 81st stated that she inadvertently voted "nay" on the preceding roll call. She wished to be recorded as voting "aye" thereon.

Representative Teasley of the 38th stated that he inadvertently voted "aye" on the preceding roll call. He wished to be recorded as voting "nay" thereon.

House of Representatives
401 Paul D. Coverdell Legislative Office Building
Atlanta, Georgia 30334

February 17, ad 2011

Dear Mr. Clerk,

Article III, Section V, Paragraph III, of the Constitution of the State of Georgia, provides in part that "No bill shall pass which refers to more than one subject matter." Further, Article I, Section II, Paragraph V, provides that "Legislative acts in violation of this Constitution or the Constitution of the United States are void, and the judiciary shall so declare them." This version of HB 101 unconstitutionally refers to more than one subject matter. As such, I was unable to vote in favor of it.

Respectfully,

/s/ Bobby Franklin

By unanimous consent, the following Bill of the House was postponed until the next legislative day:

HB 91. By Representatives Bearden of the 68th, Ramsey of the 72nd, Powell of the 171st and Cooke of the 18th:

A BILL to be entitled an Act to amend Article 1 of Chapter 10 of Title 17 and Article 2 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to the procedure for sentencing and imposition of punishment and the issuance, expiration, and renewal of drivers' licenses, respectively, so as to provide that any person convicted of a felony offense shall have such conviction demarcated on his or her driver's license for the length of his or her sentence; to provide for procedure; to amend Article 3 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to cancellation, suspension, and revocation of licenses, so as to provide for license suspension under certain circumstances; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The Speaker Pro Tem assumed the Chair.

The following Resolutions of the House were read and referred to the Committee on Rules:

HR 343. By Representatives Crawford of the 16th, Dempsey of the 13th, Coomer of the 14th and Reece of the 11th:

A RESOLUTION commending Mrs. Kimberly McGuiness and inviting her to be recognized by the House of Representatives; and for other purposes.

HR 344. By Representatives Taylor of the 173rd, Black of the 174th and Maddox of the 172nd:

A RESOLUTION commending Ms. Jessica Barfield and inviting her to be recognized by the House of Representatives; and for other purposes.

HR 345. By Representatives Fludd of the 66th, Abdul-Salaam of the 74th, Ramsey of the 72nd, Yates of the 73rd and Jordan of the 77th:

A RESOLUTION congratulating the Sandy Creek High School football team on winning the 2010 GHSA Class AAA State Championship and inviting the team to be recognized by the House of Representatives; and for other purposes.

HR 346. By Representative Anderson of the 117th:

A RESOLUTION commending Mr. Scott Winkler and inviting him to be recognized by the House of Representatives; and for other purposes.

HR 347. By Representatives Sims of the 119th, Anderson of the 117th, Harbin of the 118th, Howard of the 121st, Murphy of the 120th and others:

A RESOLUTION commending the Augusta State University men's golf team on winning the 2010 NCAA Division I National Championship and inviting them to be recognized by the House of Representatives; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 339. By Representatives Ralston of the 7th, Jones of the 46th, O'Neal of the 146th, Channell of the 116th, Lindsey of the 54th and others:

A RESOLUTION recognizing and commending the 2010 Special Council on Tax Reform and Fairness for Georgians; and for other purposes.

HR 348. By Representatives Jones of the 44th, Brooks of the 63rd, Henson of the 87th, Smith of the 122nd, Ashe of the 56th and others:

A RESOLUTION recognizing and commending Reverend Markel Hutchins; and for other purposes.

HR 349. By Representative Pak of the 102nd:

A RESOLUTION recognizing and commending Briana Ashbrooke; and for other purposes.

HR 350. By Representatives Bruce of the 64th, Holcomb of the 82nd, Dukes of the 150th, Smith of the 122nd and Stephens of the 164th:

A RESOLUTION recognizing and commending District Coordinator of the National Foundation for Women Legislators Honorable Sharon Beasley-Teague, Honorable Connie Stokes, the National Foundation for Women Legislators, Liz Claiborne, Inc., the National Association of Attorneys General, and others working to address the issue of teen dating violence; and for other purposes.

HR 351. By Representatives Ralston of the 7th, Amerson of the 9th and Jasperse of the 12th:

A RESOLUTION honoring the life and memory of Mr. Bobby C. Hanson, better known as "Ludlow Porch"; and for other purposes.

HR 352. By Representative Jones of the 44th:

A RESOLUTION recognizing the Chi Eta Phi Sorority and its Mu Phi Chapter; and for other purposes.

HR 353. By Representative Byrd of the 20th:

A RESOLUTION recognizing and commending Charles Page; and for other purposes.

HR 354. By Representatives Geisinger of the 48th, Cooper of the 41st, Braddock of the 19th, Oliver of the 83rd, Gardner of the 57th and others:

A RESOLUTION recognizing and commending Georgia's music therapists; and for other purposes.

HR 355. By Representatives Roberts of the 154th, Ralston of the 7th, O`Neal of the 146th, Jones of the 46th, Jordan of the 77th and others:

A RESOLUTION honoring the life and memory of Mr. Spencer Pass; and for other purposes.

HR 356. By Representatives Purcell of the 159th, Bryant of the 160th, Stephens of the 164th, Gordon of the 162nd and Stephens of the 161st:

A RESOLUTION celebrating the life and memory of Chief Clarence Edgar "Butch" Chan; and for other purposes.

HR 357. By Representatives Purcell of the 159th, Benton of the 31st, Maddox of the 172nd, Clark of the 104th, Johnson of the 37th and others:

A RESOLUTION acknowledging the contributions of senior Georgians and recognizing the week of February 21, 2011, as Senior Week at the Capitol; and for other purposes.

HR 358. By Representatives Carter of the 175th, Shaw of the 176th and Black of the 174th:

A RESOLUTION recognizing and commending the Valdosta State University football team; and for other purposes.

HR 359. By Representative Harden of the 28th:

A RESOLUTION honoring the life and memory of Mr. G.A. "Lefty" Cronic; and for other purposes.

HR 360. By Representative Harden of the 28th:

A RESOLUTION recognizing and commending Mark Palmer; and for other purposes.

HR 361. By Representative Harden of the 28th:

A RESOLUTION recognizing and commending Dylan Scott; and for other purposes.

Representative Casas of the 103rd moved that the following Bill of the House be withdrawn from the Committee on Appropriations and recommitted to the Committee on Education:

HB 81. By Representatives Casas of the 103rd, Dickson of the 6th, Ashe of the 56th, Harrell of the 106th, Golick of the 34th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 5 of Title 28 of the Official Code of Georgia Annotated, relating to fiscal bills generally, so as to require the submission of a bill for a fiscal note when such bill has a significant impact upon anticipated revenues or expenditures of a local school system; to provide for cooperation by the Department of Education and the State School Superintendent; to provide for distribution of the bill and fiscal notes to local school superintendents; to provide for related matters; to repeal conflicting laws; and for other purposes.

The motion prevailed.

By order of the Committee on Rules, the following Bill of the House was withdrawn from the General Calendar and recommitted to the Committee on Health & Human Services:

HB 147. By Representatives Watson of the 163rd, Cooper of the 41st, Ramsey of the 72nd, Hatchett of the 143rd and Pak of the 102nd:

A BILL to be entitled an Act to amend Chapter 34A of Title 43 of the Official Code of Georgia Annotated, the "Patient Right to Know Act of 2001," so as to include information as to whether a physician has medical malpractice insurance as part of the physician profile; to provide that a patient has the right to inquire as to whether the physician carries medical malpractice insurance; to provide for related matters; to repeal conflicting laws; and for other purposes.

By order of the Committee on Rules, the following Bill of the House was withdrawn from the General Calendar and recommitted to the Committee on Public Safety & Homeland Security:

HB 26. By Representatives Roberts of the 154th, McBrayer of the 153rd and Tankersley of the 158th:

A BILL to be entitled an Act to amend Code Section 40-5-64 of the Official Code of Georgia Annotated, relating to issuance of limited driving permits for certain offenders, so as to allow for issuance of a limited driving permit to a driver who has had his or her license suspended for driving on a suspended license; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Representative McCall of the 30th District, Chairman of the Committee on Agriculture and Consumer Affairs, submitted the following report:

Mr. Speaker:

Your Committee on Agriculture and Consumer Affairs has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 223 Do Pass, by Substitute

Respectfully submitted,
/s/ McCall of the 30th
Chairman

Representative Coleman of the 97th District, Chairman of the Committee on Education, submitted the following report:

Mr. Speaker:

Your Committee on Education has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 172	Do Pass	HB 173	Do Pass
HB 175	Do Pass, by Substitute	HB 192	Do Pass, by Substitute

Respectfully submitted,
/s/ Coleman of the 97th
Chairman

Representative Willard of the 49th District, Chairman of the Committee on Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on Judiciary has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 24	Do Pass, by Substitute	HB 64	Do Pass, by Substitute
HB 93	Do Pass, by Substitute	HB 129	Do Pass, by Substitute

Respectfully submitted,
/s/ Willard of the 49th
Chairman

Representative Rice of the 51st District, Chairman of the Committee on Motor Vehicles, submitted the following report:

Mr. Speaker:

Your Committee on Motor Vehicles has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 114 Do Pass
HB 279 Do Pass

Respectfully submitted,
/s/ Rice of the 51st
Chairman

The following communications were received:

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

February 11, 2011

Honorable Brian P. Kemp
Secretary of State
214 State Capitol
Atlanta, GA 30334

Dear Secretary of State Kemp:

Enclosed is a certificate from the Lieutenant Governor and the Speaker of the House of Representatives certifying that Honorable Robert Brown was reelected as the member of the State Transportation Board from the 4th Congressional District. He will serve for a term expiring April 15, 2016. This certificate is furnished to you pursuant to the provisions of O.C.G.A. Section 32-2-20.

With best regards, I am

Sincerely yours,

/s/ Sewell R. Brumby
Legislative Counsel

SRB:dd

Enclosures

cc: Honorable Nathan Deal
Honorable Casey Cagle
Honorable David Ralston
Honorable Tommie Williams
Honorable Robert Brown
Honorable Gloria Butler
Honorable Steve Henson
Honorable Vance C. Smith, Jr.
Mr. Bob Ewing
Mr. Robert E. Rivers, Jr.

Legislative Service Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

TO: HONORABLE BRIAN KEMP
SECRETARY OF STATE

This is to certify that Honorable Robert Brown has been reelected, pursuant to the provisions of O.C.G.A. Section 32-2-20, as the member of the State Transportation Board from the 4th Congressional District for a term expiring April 15, 2016.

/s/ Casey Cagle
HONORABLE CASEY CAGLE
LIEUTENANT GOVERNOR

/s/ David Ralston
HONORABLE DAVID RALSTON
SPEAKER, HOUSE OF REPRESENTATIVES

Legislative Service Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

CERTIFICATION OF CAUCUS ELECTION

Pursuant to the call for a caucus under the provisions of O.C.G.A. Section 32-2-20, a caucus was held on February 9, 2011, in the Senate Chamber of the State Capitol Building. At that caucus, Honorable Robert Brown was elected as the member of the State Transportation Board from the 4th Congressional District to serve a term expiring April 15, 2016.

Respectfully submitted,

/s/ Gloria Butler
Honorable Gloria Butler
Senator, District 55
CHAIRMAN

/s/ Steve B. Henson
Honorable Steve Henson
Senator, District 41
SECRETARY

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

February 11, 2011

Honorable Brian P. Kemp
Secretary of State
214 State Capitol
Atlanta, GA 30334

Dear Secretary of State Kemp:

Enclosed is a certificate from the Lieutenant Governor and the Speaker of the House of Representatives certifying that Honorable Emily Dunn was elected as the member of the State Transportation Board from the 9th Congressional District. She will serve for a term expiring April 15, 2013. This certificate is furnished to you pursuant to the provisions of O.C.G.A. Section 32-2-20.

With best regards, I am

Sincerely yours,

/s/ Sewell R. Brumby
Legislative Counsel

SRB:dd
Enclosures

cc: Honorable Nathan Deal
Honorable Casey Cagle
Honorable David Ralston
Honorable Tommie Williams
Honorable Emily Dunn
Honorable Jeff Mullis
Honorable Vance C. Smith, Jr.
Mr. Bob Ewing
Mr. Robert E. Rivers, Jr.

Legislative Service Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

TO: HONORABLE BRIAN KEMP
SECRETARY OF STATE

This is to certify that Honorable Emily Dunn has been elected, pursuant to the provisions of O.C.G.A. Section 32-2-20, as the member of the State Transportation Board from the 9th Congressional District for a term expiring April 15, 2013.

/s/ Casey Cagle
HONORABLE CASEY CAGLE
LIEUTENANT GOVERNOR

/s/ David Ralston
HONORABLE DAVID RALSTON
SPEAKER, HOUSE OF REPRESENTATIVES

Legislative Service Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

CERTIFICATION OF CAUCUS ELECTION

Pursuant to the call for a caucus under the provisions of O.C.G.A. Section 32-2-20, a caucus was held on February 9, 2011, in the Senate Chamber of the State Capitol Building. At that caucus, Honorable Emily Dunn was elected as the member of the State Transportation Board from the 9th Congressional District to serve a term expiring April 15, 2013.

Respectfully submitted,

/s/ David Ralston
Honorable David Ralston
Representative, District 7
CHAIRMAN

/s/ Jeff Mullis
Honorable Jeff Mullis
Senator, District 53
SECRETARY

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

February 11, 2011

Honorable Brian P. Kemp
Secretary of State
214 State Capitol
Atlanta, GA 30334

Dear Secretary of State Kemp:

Enclosed is a certificate from the Lieutenant Governor and the Speaker of the House of Representatives certifying that Honorable Don Grantham was elected as the member of the State Transportation Board from the 10th Congressional District. He will serve for a term expiring April 15, 2014. This certificate is furnished to you pursuant to the provisions of O.C.G.A. Section 32-2-20.

With best regards, I am

Sincerely yours,

/s/ Sewell R. Brumby
Legislative Counsel

SRB:dd
Enclosures

cc: Honorable Nathan Deal
Honorable Casey Cagle
Honorable David Ralston
Honorable Tommie Williams
Honorable Don Grantham
Honorable Alan Powell
Honorable Rick Austin
Honorable Vance C. Smith, Jr.
Mr. Bob Ewing
Mr. Robert E. Rivers, Jr.

Legislative Service Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

TO: HONORABLE BRIAN KEMP
SECRETARY OF STATE

This is to certify that Honorable Don Grantham has been elected, pursuant to the provisions of O.C.G.A. Section 32-2-20, as the member of the State Transportation Board from the 10th Congressional District for a term expiring April 15, 2014.

/s/ Casey Cagle
HONORABLE CASEY CAGLE
LIEUTENANT GOVERNOR

/s/ David Ralston
HONORABLE DAVID RALSTON
SPEAKER, HOUSE OF REPRESENTATIVES

Legislative Service Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

CERTIFICATION OF CAUCUS ELECTION

Pursuant to the call for a caucus under the provisions of O.C.G.A. Section 32-2-20, a caucus was held on February 9, 2011, in the Senate Chamber of the State Capitol Building. At that caucus, Honorable Don Grantham was elected as the member of the State Transportation Board from the 10th Congressional District to serve a term expiring April 15, 2014.

Respectfully submitted,

/s/ Alan Powell
Honorable Alan Powell
Representative, District 29
CHAIRMAN

/s/ Rick Austin
Honorable Rick Austin
Representative, District 10
SECRETARY

Legislative Services Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

February 11, 2011

Honorable Brian P. Kemp
Secretary of State
214 State Capitol
Atlanta, GA 30334

Dear Secretary of State Kemp:

Enclosed is a certificate from the Lieutenant Governor and the Speaker of the House of Representatives certifying that Honorable Jeff Lewis was elected as the member of the State Transportation Board from the 11th Congressional District. He will serve for a term expiring April 15, 2016. This certificate is furnished to you pursuant to the provisions of O.C.G.A. Section 32-2-20.

With best regards, I am

Sincerely yours,

/s/ Sewell R. Brumby
Legislative Counsel

SRB:dd
Enclosures

cc: Honorable Nathan Deal
Honorable Casey Cagle
Honorable David Ralston
Honorable Tommie Williams
Honorable Jeff Lewis
Honorable Chip Rogers
Honorable Timothy Bearden
Honorable Vance C. Smith, Jr.
Mr. Bob Ewing
Mr. Robert E. Rivers, Jr.

Legislative Service Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

TO: HONORABLE BRIAN KEMP
SECRETARY OF STATE

This is to certify that Honorable Jeff Lewis has been elected, pursuant to the provisions of O.C.G.A. Section 32-2-20, as the member of the State Transportation Board from the 11th Congressional District for a term expiring April 15, 2016.

/s/ Casey Cagle
HONORABLE CASEY CAGLE
LIEUTENANT GOVERNOR

/s/ David Ralston
HONORABLE DAVID RALSTON
SPEAKER, HOUSE OF REPRESENTATIVES

Legislative Service Committee

Office of Legislative Counsel
316 State Capitol
Atlanta, Georgia 30334

CERTIFICATION OF CAUCUS ELECTION

Pursuant to the call for a caucus under the provisions of O.C.G.A. Section 32-2-20, a caucus was held on February 9, 2011, in the Senate Chamber of the State Capitol Building. At that caucus, Honorable Jeff Lewis was elected as the member of the State Transportation Board from the 11th Congressional District to serve a term expiring April 15, 2016.

Respectfully submitted,

/s/ Chip Rogers
Honorable Chip Rogers
Senator, District 21
CHAIRMAN

/s/ Timothy Bearden
Honorable Timothy Bearden
Representative, District 68
SECRETARY

Representative O'Neal of the 146th moved that the House stand in recess until 5:00 o'clock, P.M., at which time the House will stand adjourned, pursuant to the adjournment Resolution previously adopted by the House and Senate, until 10:00 o'clock, A.M. Tuesday, February 22, 2011.

The Speaker Pro Tem announced the House in recess until 5:00 o'clock, P.M., at which time the House will stand adjourned, pursuant to the adjournment Resolution previously adopted by the House and Senate, until 10:00 o'clock, A.M. Tuesday, February 22, 2011.