

**Representative Hall, Atlanta, Georgia****Wednesday, February 23, 2011****Eighteenth 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 following communications were received:

**OFFICIAL OATH OF GEORGIA STATE REPRESENTATIVE****HOUSE DISTRICT 136****GEORGIA HOUSE OF REPRESENTATIVES**

I do solemnly swear or affirm that I will support the Constitution of this state and of the United States and, on all questions and measures which may come before me, I will so conduct myself, as will, in my judgment, be most conducive to the interests and prosperity of this state.

I further swear or affirm that I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof, that I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state, that I have been a resident of my district for the time required by the Constitution and the laws of this state, and that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia.

SO HELP ME GOD.

**LOYALTY OATH**

I am a citizen of the State of Georgia and a member of the General Assembly and the recipient of public funds for services rendered as such officer and I do hereby solemnly swear and affirm that I will support the Constitution of the United States and the Constitution of Georgia.

SO HELP ME GOD.

/s/ Robert Dickey  
STATE REPRESENTATIVE

Sworn to and subscribed before me,

This 23rd day of February, 2011.

/s/ Michael P. Boggs  
Judge, Superior Court  
Waycross Judicial Circuit

OFFICIAL OATH OF GEORGIA STATE REPRESENTATIVE

HOUSE DISTRICT 178

GEORGIA HOUSE OF REPRESENTATIVES

I do solemnly swear or affirm that I will support the Constitution of this state and of the United States and, on all questions and measures which may come before me, I will so conduct myself, as will, in my judgment, be most conducive to the interests and prosperity of this state.

I further swear or affirm that I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof, that I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state, that I have been a resident of my district for the time required by the Constitution and the laws of this state, and that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia.

SO HELP ME GOD.

LOYALTY OATH

I am a citizen of the State of Georgia and a member of the General Assembly and the recipient of public funds for services rendered as such officer and I do hereby solemnly swear and affirm that I will support the Constitution of the United States and the Constitution of Georgia.

SO HELP ME GOD.

/s/ J. Chad Nimmer  
STATE REPRESENTATIVE

Sworn to and subscribed before me,

This 23rd day of February, 2011.

/s/ Michael P. Boggs  
 Judge, Superior Court  
 Waycross Judicial Circuit

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

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

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

Representatives Dawkins-Haigler of the 93rd, Fludd of the 66th, Jacobs of the 80th, Jerguson of the 22nd, Kidd of the 141st, Long of the 61st, Maddox of the 127th, Morris of the 155th, Nimmer of the 178th, Powell of the 29th, Reece of the 11th, Setzler of the 35th, Sims of the 169th, Stephenson of the 92nd, Weldon of the 3rd, and Williams of the 165th.

They wished to be recorded as present.

Prayer was offered by Pastor Tony Crosby, Alma United Methodist Church, Alma, Georgia.

The members pledged allegiance to the flag.

Representative Davis of the 109th, 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 and Resolutions of the House were introduced, read the first time and referred to the Committees:

HB 313. By Representatives Dickson of the 6th and Meadows of the 5th:

A BILL to be entitled an Act to amend an Act entitled "An Act providing a new charter for the City of Chatsworth, approved August 20, 1923 (Ga. L. 1923, p. 529), as amended, particularly by an Act approved March 4, 1977 (Ga. L. 1977, p. 2865), so as to provide for the annexation of certain territory into the boundaries of the city; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

- HB 314. By Representatives Dickson of the 6th, Neal of the 1st and Coleman of the 97th:

A BILL to be entitled an Act to amend Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance for students in elementary and secondary education, so as to enact "Jessie's Law"; to provide for a definition; to provide that foster care students are granted excused absences from school to attend court proceedings relating to such students' foster care; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

- HB 315. By Representatives Cooke of the 18th, Bearden of the 68th, Burns of the 157th, Brockway of the 101st and McCall of the 30th:

A BILL to be entitled an Act to amend Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to general provisions regarding the registration, operation, and sale of watercraft, so as to provide that it shall be a violation of law if a person's alcohol concentration is 0.08 grams or more at any time within three hours after operating, navigating, steering, driving, manipulating, or being in actual physical control of a moving vessel, moving water skis, moving aquaplane, moving surfboard, or similar moving device from alcohol consumed before such operating, navigating, steering, driving, manipulating, or being in actual physical control ended; to provide for certain presumptions at trial of such cases; to provide for related matters; to provide an effective date and for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

- HB 316. By Representatives Willard of the 49th, Jacobs of the 80th, Atwood of the 179th, Pak of the 102nd and Cooper of the 41st:

A BILL to be entitled an Act to amend Part 6 of Article 4 of Chapter 3 of Title 46 of the Official Code of Georgia Annotated, relating to directors and officers of electric membership corporations, so as to provide that meetings of such directors or officers shall be subject to provisions relating to open and public meetings; to provide that records of such organizations shall be subject to public inspection; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Energy, Utilities & Telecommunications.

HB 317. By Representative Stephens of the 164th:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to extend an exemption for a limited period of time regarding sales to certain nonprofit volunteer health clinics; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 318. By Representative Stephens of the 164th:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to extend for a limited period of time an exemption with respect to the use of food which is donated to a qualified nonprofit agency and which is used for hunger relief purposes; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 319. By Representative Stephens of the 164th:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to extend an exemption from state sales and use tax only for a limited period of time regarding the sale or use of tangible personal property to certain nonprofit health centers; to extend an exemption for a limited period of time regarding sales to certain nonprofit volunteer health clinics; to extend for a limited period of time an exemption with respect to certain sales of eligible food and beverages to a qualified food bank; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 320. By Representative Stephens of the 164th:

A BILL to be entitled an Act to create the "Development Authority Jobs Assistance Act of 2011"; to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to provide for exemptions for certain sales or leases in connection with development authority projects; to provide for applicability regarding

contractors and vendors; to provide for conditions and limitations; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 321. By Representatives Stephens of the 164th, Carter of the 175th, Battles of the 15th, Hamilton of the 23rd and Hatchett of the 143rd:

A BILL to be entitled an Act to amend Chapter 8 of Title 48 of the O.C.G.A., relating to sales and use taxes, so as to provide for a program of tax refunds for companies creating new tourism attractions; to provide for a short title; to provide for definitions; to provide for legislative findings; to provide for conditions of eligibility and approval; to provide for agreements; to provide for procedures, conditions, and limitations; to provide for powers, duties, and responsibilities of the Governor and the Department of Community Affairs and the governing authorities of counties and municipalities; to provide for powers, duties, and authority of the state revenue commissioner and the Department of Revenue; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 322. By Representatives Roberts of the 154th, Powell of the 171st, Smyre of the 132nd, Dollar of the 45th, England of the 108th and others:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use taxation, so as to continue for a limited period of time the partial exemption from the state sales and use tax on certain sales or uses of jet fuel; to continue for a limited period of time the exemption from a certain local sales and use tax on certain sales or uses of jet fuel; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 323. By Representatives Harden of the 28th, Allison of the 8th, Battles of the 15th, Rice of the 51st and Austin of the 10th:

A BILL to be entitled an Act to amend Code Section 40-3-50 of the Official Code of Georgia Annotated, relating to perfection of a security interest in a motor vehicle, so as to change the time of perfection of a security interest; 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.

- HB 324. By Representatives Neal of the 1st, Collins of the 27th, Cooper of the 41st, Gardner of the 57th and Murphy of the 120th:

A BILL to be entitled an Act to amend Chapter 4 of Title 37 of the Official Code of Georgia Annotated, relating to the habilitation of the developmentally disabled generally, so as to revise definitions; to repeal various obsolete provisions relating to procedures for obtaining services from the Department of Behavioral Health and Developmental Disabilities relative to developmentally disabled persons; to provide for hearings by administrative law judges; to eliminate hearing examiners; to amend various other titles of the Official Code of Georgia Annotated, so as to revise provisions for purposes of conformity; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

- HB 325. By Representatives Ehrhart of the 36th and Casas of the 103rd:

A BILL to be entitled an Act to amend Titles 20 and 48 of the Official Code of Georgia Annotated, relating, respectively, to education and revenue and taxation, so as to revise provisions relating to student scholarship organizations; to revise definitions; to revise requirements on student scholarship organizations; to provide for penalties; to revise and change certain provisions regarding the qualified education income tax credit; to provide for related matters; to provide for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

- HB 327. By Representatives Shaw of the 176th, Carter of the 175th, Spencer of the 180th, Hanner of the 148th, Bearden of the 68th and others:

A BILL to be entitled an Act to amend Code Section 35-8-8 of the Official Code of Georgia Annotated, relating to requirements for appointment or certification of persons as peace officers, so as to modify certain requirements pertaining to employment or certification as a peace officer; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety & Homeland Security.

HB 328. By Representatives Sims of the 119th, Anderson of the 117th, Roberts of the 154th, Smyre of the 132nd, McCall of the 30th and others:

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 create a new class of motor vehicles to be known as personal transportation vehicles; to provide for a definition; to provide for rights and duties of drivers of personal transportation vehicles; to provide for rules of the road; to provide for local ordinances regulating personal transportation vehicles; to provide for operation of such vehicles on the public highways; to provide for permits in certain situations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Motor Vehicles.

HB 329. By Representatives Hembree of the 67th, Lindsey of the 54th, Jacobs of the 80th, Dollar of the 45th, Brockway of the 101st and others:

A BILL to be entitled an Act to amend Code Section 36-91-21 and Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to competitive award requirements and to general authority, duties, and procedure relative to state purchasing, respectively, so as to provide for certain contracting and bidding requirements for governmental entities and the Department of Administrative Services relative to public works construction contracts; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 330. By Representatives Parent of the 81st and Holcomb of the 82nd:

A BILL to be entitled an Act to authorize the City of Doraville to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 331. By Representative Stephens of the 164th:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so

as to provide for a limited period of time an exemption from state sales and use tax only with respect to certain sales to a qualified job training organization; to provide for procedures, conditions, and limitations; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 332. By Representative Parsons of the 42nd:

A BILL to be entitled an Act to amend Code Section 46-5-167 of the Official Code of Georgia Annotated, relating to the Universal Access Fund, so as to eliminate unnecessary regulation by revising certain provisions related to such fund; to provide for an effective date, to repeal conflicting laws; and for other purposes.

Referred to the Committee on Energy, Utilities & Telecommunications.

HB 333. By Representative Stephens of the 164th:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to extend for a limited period of time an exemption with respect to the use of food donated for disaster relief purposes; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 334. By Representative Stephens of the 164th:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to extend for a limited period of time an exemption with respect to certain sales of eligible food and beverages to a qualified food bank; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 335. By Representative Parent of the 81st:

A BILL to be entitled an Act to amend an Act reincorporating the City of Doraville in the County of DeKalb, approved October 13, 1971 (Ga. L. 1971, Ex. Sess., p. 2154), as amended, so as to change certain provisions relating to tax levies; to change certain provisions relating to elections; to change certain

provisions relating to notice of candidacy; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 336. By Representatives Davis of the 109th, Martin of the 47th, England of the 108th, Golick of the 34th, Wilkinson of the 52nd and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 28 of the Official Code of Georgia Annotated, relating to the General Assembly in general, so as to revise provisions relating to the issuance of subpoenas by and on behalf of the General Assembly; to eliminate certain provisions relating to judicial issuance of subpoenas upon request of the committees on ethics; to provide that officers of the Senate or House of Representatives may issue subpoenas to compel a person to appear before a committee and give sworn testimony or produce evidence; to provide for judicial enforcement in the same manner as for contempt of court; to provide for service, fees, and mileage; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HR 363. By Representatives Sims of the 169th, Neal of the 1st and Huckaby of the 113th:

A RESOLUTION creating the House Study Committee on State Properties; to provide for duties and responsibilities of the committee; and for other purposes.

Referred to the Committee on State Institutions & Property.

HR 364. By Representatives Benfield of the 85th, Ashe of the 56th, Oliver of the 83rd, Parent of the 81st, Gardner of the 57th and others:

A RESOLUTION urging the General Assembly and the Governor of the State of Georgia to increase the quality, accessibility, and affordability of pre-K programs for Georgia children; and for other purposes.

Referred to the Committee on Appropriations.

HR 381. By Representatives McKillip of the 115th, England of the 108th, Greene of the 149th, McCall of the 30th, Anderson of the 117th and others:

A RESOLUTION supporting the modernization of the federal Toxic Substances Control Act of 1976; and for other purposes.

Referred to the Committee on Natural Resources & Environment.

By unanimous consent, the rules were suspended in order that the following Bill of the House could be introduced, read the first time and referred to the Committee:

HB 347. By Representatives Hembree of the 67th, Meadows of the 5th, Lindsey of the 54th, Maxwell of the 17th, Murphy of the 120th and others:

A BILL to be entitled an Act to amend Code Section 33-23-10 of the Official Code of Georgia Annotated, relating to the examination of applicants, so as to provide that the Commissioner shall not exempt himself or herself from any written examinations set forth in the Code section; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

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

HB 280	HB 281
HB 282	HB 283
HB 284	HB 285
HB 286	HB 287
HB 288	HB 289
HB 290	HB 291
HB 292	HB 293
HB 294	HB 295
HB 296	HB 297
HB 298	HB 299
HB 300	HB 301
HB 302	HB 303
HB 304	HB 305
HB 306	HB 307
HB 308	HB 309
HB 310	HB 311
HB 312	HB 326
HR 340	HR 341
HR 342	SB 37
SB 56	SR 15
SR 84	

The following Resolutions of the House, referred to the House Rules Subcommittee on Invites, were reported by the Committee on Rules with the following recommendations:

HR 255     Do Pass  
 HR 366     Do Pass

Pursuant to HR 110, the House commended the Piedmont Academy Cougars Football Team on winning the GISA Class AA State Championship and invited them to be recognized by the House of Representatives.

Pursuant to HR 347, the House commended the Augusta State University men's golf team on winning the 2010 NCAA Division I National Championship and invited them to be recognized by the House of Representatives.

Pursuant to HR 366, the House commended Mr. Hal Needham and invited him to be recognized by the House of Representatives.

Pursuant to HR 346, the House commended Mr. Scott Winkler and invited him to be recognized by the House of Representatives.

Pursuant to HR 355, the House honored the life and memory of Mr. Spencer Pass.

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

**HOUSE RULES CALENDAR**  
**WEDNESDAY, FEBRUARY 23, 2011**

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 18th Legislative Day as enumerated below:

**DEBATE CALENDAR**

**Open Rule**

HB 90     Heritage Trust Program; transfer State properties to local government;  
            provide (Substitute)(SI&P-Bearden-68th)  
 HB 223     Building codes; certain farm buildings or structures; provide exemption  
            (Substitute)(A&CA-Jasperse-12th)

**Modified Open Rule**

None

**Modified Structured Rule**

HB 172 Education; temporarily extend multiple provisions (Ed-Coleman-97th)  
 HB 192 State Education Finance Study Commission; evaluate Formula and funding;  
 establish (Substitute)(Ed-Coleman-97th)

**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

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 Senate:

SB 38. By Senators Rogers of the 21st and Millar of the 40th:

A BILL to be entitled an Act to amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to provide for authority for the State School Superintendent to employ and dismiss employees; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 47. By Senators Crosby of the 13th, Cowser of the 46th, McKoon of the 29th, Bethel of the 54th, Sims of the 12th and others:

A BILL to be entitled an Act to amend Chapter 10 of Title 15 of the Official Code of Georgia Annotated, relating to magistrate courts, so as to change provisions relating to training for magistrates and senior magistrates; to change provisions relating to the composition and responsibilities of the

Georgia Magistrate Courts Training Council; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

SB 38. By Senators Rogers of the 21st and Millar of the 40th:

A BILL to be entitled an Act to amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to provide for authority for the State School Superintendent to employ and dismiss employees; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

SB 47. By Senators Crosby of the 13th, Cowser of the 46th, McKoon of the 29th, Bethel of the 54th, Sims of the 12th and others:

A BILL to be entitled an Act to amend Chapter 10 of Title 15 of the Official Code of Georgia Annotated, relating to magistrate courts, so as to change provisions relating to training for magistrates and senior magistrates; to change provisions relating to the composition and responsibilities of the Georgia Magistrate Courts Training Council; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

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

Representatives Rice of the 51st, Williams of the 89th, Geisinger of the 48th, Smith of the 168th, Meadows of the 5th, Dobbs of the 53rd, Epps of the 140th, McKillip of the 115th, Harden of the 147th, and Jones of the 44th.

The following Resolutions of the House, favorably reported by the Committee on Rules, were read and adopted:

HR 255. By Representatives Taylor of the 79th, Jacobs of the 80th, Wilkinson of the 52nd, Harrell of the 106th, Riley of the 50th and others:

A RESOLUTION commending Reverend Monsignor R. Donald Kiernan on the occasion of his retirement and inviting him to be recognized by the House of Representatives; and for other purposes.

HR 366. By Representative Stephens of the 164th:

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

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 192. By Representatives Coleman of the 97th, England of the 108th, Carter of the 175th, Abrams of the 84th, Kaiser of the 59th and others:

A BILL to be entitled an Act to amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," so as to establish the State Education Finance Study Commission to evaluate the Quality Basic Education Formula and education funding for public schools; to provide for legislative findings; to provide for composition of the commission; to provide for compensation of the members of the commission; to provide for duties and powers; to provide for support staff; to provide for a timeline; to provide for automatic repeal on a certain date; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED  
AN ACT

To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," so as to establish the State Education Finance Study Commission to evaluate the Quality Basic Education Formula and education funding for public schools; to provide for legislative findings; to provide for composition of the commission; to provide for compensation of the members of the commission; to provide for duties and powers; to provide for support staff; to provide for a timeline; to provide for automatic repeal on a certain date; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," is amended by adding a new part to read as follows:

"Part 17

20-2-330.

The General Assembly passed the Quality Basic Education Act (QBE) in 1985 by unanimous vote. The legislation was the culmination of two years of work by the Education Review Commission, a body made up of business leaders, parents, teachers, education experts, and other community leaders, which was charged with developing a comprehensive educational reform package for Georgia. The QBE Formula, along with several other formula related components, has served as the method of calculating the funding needs of Georgia school systems for the past 25 years. The General Assembly has now determined that it is in the best interests of the state and its citizenry to undertake a comprehensive study of the method of funding schools in Georgia.

20-2-331.

(a) The State Education Finance Study Commission is hereby created to evaluate the Quality Basic Education Formula and any other program or matter relative to education funding in Georgia as provided in this part. Members of the commission should have good working knowledge of education and education finance. Members must be willing to commit time to actively participate in full committee meetings and subcommittee meetings and must agree to balance the educational needs of children and the resources provided by the citizens of Georgia. The commission shall be composed of 27 members as follows:

(1) The following members, appointed by the Governor:

(A) A local school superintendent;

(B) A teacher;

(C) A principal or other administrator;

(D) A member of a local board of education;

(E) A member of the State Board of Education;

(F) A representative from the System Office of the University System of Georgia;

(G) A representative from career, technical, and agriculture education;

(H) Two parents;

(I) A representative from the Professional Standards Commission; and

(J) A school finance officer;

(2) Three representatives from the business community, one each appointed by the Governor, the Speaker of the House of Representatives, and the Lieutenant Governor;

(3) The State School Superintendent;

(4) Six members of the House of Representatives, appointed by the Speaker of the House of Representatives, including the chairperson of the House Committee on Education; and

- (5) Six members of the Senate, appointed by the Lieutenant Governor, including the chairperson of the Senate Education and Youth Committee.
- (b) The chairpersons of the House Committee on Education and the Senate Education and Youth Committee shall serve as cochairpersons of the commission. The commission may elect other officers as deemed necessary. The cochairpersons may designate and appoint subcommittees from among the membership of the commission as well as appoint other persons to perform such functions as they may determine to be necessary as relevant to and consistent with this part. The cochairpersons shall only vote to break a tie.
- (c) The commission may engage additional ad hoc nonvoting members as needed to address certain issues in subcommittee. This may include, but not be limited to, input from various personnel experienced in the Quality Basic Education Formula, such as counselors, pre-K personnel, special education teachers, social workers, psychologists, art teachers, music teachers, physical education teachers, foreign language teachers, agriculture and career-technical education teachers, media specialists, school nutrition managers, and transportation managers.
- (d) The cochairpersons shall be authorized to appoint a steering committee composed of members of the commission to monitor the progress of the commission, to ensure timelines are being met, and to mediate differences that might arise in the course of the study.

20-2-332.

- (a) The commission shall hold meetings at the call of the cochairpersons. The commission shall meet at least quarterly and subcommittees shall meet as often as needed to complete tasks.
- (b) A quorum for transacting business shall be a majority of the members of the commission.
- (c) Any legislative members of the commission shall receive the allowances provided for in Code Section 28-1-8. Citizen members shall receive a daily expense allowance in the amount specified in subsection (b) of Code Section 45-7-21 as well as the mileage or transportation allowance authorized for state employees. Any members of the commission who are state officials, other than legislative members, and state employees shall receive no compensation for their services on the commission, but they shall be reimbursed for expenses incurred by them in the performance of their duties as members of the commission in the same manner as they are reimbursed for expenses in their capacities as state officials or employees. The funds necessary for the reimbursement of the expenses of state officials, other than legislative members, and state employees shall come from funds appropriated to or otherwise available to their respective departments. All other funds necessary to carry out the provisions of this part shall come from funds appropriated to the House of Representatives and the Senate.

20-2-333.

(a) The commission shall study and evaluate the cost and resources needed to educate a child through review of the following core issues relating to education financing;

(1) **QBE Formula:**

(A) Evaluate the various components of the formula, including teacher salaries, maintenance and operations, and textbooks, and determine whether there needs to be adjustments;

(B) Consider whether new components should be added to the formula, such as technology;

(C) Consider whether other programs that have been proven successful should be added to the formula, such as graduation coaches; and

(D) Review other areas within the QBE Act that relate to or impact school funding, such as maximum class sizes and expenditure controls, and whether local school systems should continue to be given flexibility in these areas;

(2) **State and local funding partnership:** Examine the requirement that school systems must levy 5 mills in order to draw down state QBE funding and whether the current method should continue or whether school systems should be required to pay a certain percentage of the formula or for certain expenditures;

(3) **Equalization:** Examine the equalization grant to determine if the purpose of the grant is being met and whether revisions are needed;

(4) **Student transportation:**

(A) Review the current formula for student transportation; and

(B) Review other safety issues related to student transportation, such as funding bus monitors and seat belts;

(5) **State schools funding:** Examine funding for the three schools for blind and deaf children operated by the state to identify needed changes in the funding method, whether additional funding for residential, medical, and other costs unique to the schools should be provided, and whether local school systems should be contributing to the cost of educating these children; and

(6) **Capital outlay:**

(A) Review the capital outlay programs for which school systems may be eligible to ensure that each program is effective and adequately funded; and

(B) Because the program is currently scheduled to sunset on June 30, 2015, recommend whether and how long the program should be extended.

(b) The commission is encouraged, if time permits, to study and evaluate the following issues relating to education financing;

(1) **Charter schools:**

(A) Review Georgia's charter laws and determine what changes may need to be made to streamline the chartering process and provide fair funding for the various types of charter schools; and

(B) Examine the issue of funding for operations and facilities;

(2) **Career, Technical, and Agriculture Education, dual enrollment, virtual schools:**

(A) Review the various funding mechanisms for each of these nontraditional programs; and

(B) Consider the costs of administering these types of programs and the appropriate funding mechanism;

**(3) Teacher pay:**

(A) Review the issue of whether performance pay should be implemented;

(B) Determine how such a program could be sustained long-term; and

(C) Review the requirements of the federal Race to the Top initiative and how the state may be required to implement performance pay;

**(4) Non-OBE grants:**

(A) Review other grant programs available to school systems, including but not limited to school nutrition, sparsity grants, migrant education, preschool disabled, the severely and emotionally disturbed program, and school nurses; and

(B) Make recommendations on funding updates that are needed; and

**(5) Other Title 20 revisions:** Review all key statutes and provisions of this title to ensure laws are updated and whether any laws which represent an unfunded mandate should be eliminated.

**(c) The commission shall have the following powers:**

(1) To request and receive data from and review the records of appropriate agencies and entities to the greatest extent allowed by state and federal law;

(2) To accept public or private grants, devises, and bequests;

(3) To enter into all contracts or agreements necessary or incidental to the performance of its duties; and

(4) To conduct studies, collect data, or take any other action the commission deems necessary to fulfill its responsibilities.

**(d) The commission shall be authorized to retain the services of auditors, attorneys, financial consultants, education experts, economists, and other individuals or firms as determined appropriate by the commission.**

**20-2-333.1.**

**(a) Staff support for the commission shall be provided by the Department of Education, the Governor's office, the Office of Planning and Budget, the House of Representatives, the Senate, and the Office of Legislative Counsel. The cochairpersons of the commission shall designate an individual to serve as staff director for the commission.**

**(b) The commission may request assistance and input from agencies and organizations as needed, including the University System of Georgia, the Technical College System of Georgia, the Professional Standards Commission, the Georgia Student Finance Commission, the Department of Early Care and Learning, the Office of Student Achievement, the Georgia Partnership for Excellence in Education, the Georgia School Superintendents Association, the Georgia School Boards Association, the Georgia Association of Educational Leaders, the Georgia Association of Educators, the Professional Association of Georgia Educators, the Southern Regional Education Board, private corporations, and other organizations willing to participate.**

20-2-333.2.

(a) The commission shall perform its work in accordance with the following:

(1) No later than May 15, 2011: Commission members appointed;

(2) No later than June 30, 2011: First commission meeting conducted;

(3) September 30, 2011: Interim recommendations completed;

(4) December 31, 2011: Proposed legislation for interim recommendations completed;

(5) September 30, 2012: Final recommendations completed; and

(6) December 31, 2012: Proposed legislation for final recommendations completed.

(b) Such recommendations and proposed legislation shall be submitted by the commission in accordance with the schedule in subsection (a) of this Code section to the Governor and the General Assembly; provided, however, that the commission may modify these dates if necessary.

(c) The final recommendations shall include a prioritization of all recommendations, including those that do and do not require additional funding. Such final recommendations shall include a proposed timeline for implementation of recommendations, an estimated cost of each recommendation, and the target year for including in the state budget.

20-2-333.3.

The commission shall stand abolished and this part shall be repealed on March 31, 2013."

**SECTION 2.**

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

**SECTION 3.**

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

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

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

Y Abdul-Salaam	Y Davis	E Heckstall	Y Mayo	Y Setzler
Y Abrams	Y Dawkins-Haigler	Y Hembree	Y McBrayer	Y Shaw
Y Allison	Y Dempsey	Y Henson	Y McCall	E Sheldon
Y Amerson	Y Dickerson	Y Hill	Y McKillip	Y Sims, B
Y Anderson	Y Dickey	Y Holcomb	Y Meadows	Y Sims, C
Y Ashe	Y Dickson	Holmes	Y Mills	Y Smith, E
Y Atwood	Y Dobbs	Y Holt	Y Mitchell	E Smith, K
Y Austin	Y Dollar	Y Horne	Y Morgan	Y Smith, L
Y Baker	Y Drenner	Y Houston	Y Morris	Y Smith, R

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

On the passage of the Bill, by substitute, the ayes were 160, nays 3.

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

Representatives Holmes of the 125th, Hudson of the 124th and Fullerton of the 151st 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 90. By Representatives Bearden of the 68th, Cooke of the 18th and Smith of the 70th:

A BILL to be entitled an Act to amend Part 2 of Article 3 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to the Heritage Trust Program, so as to authorize the State of Georgia to transfer its interests in heritage preserve properties to a county or local government upon certain conditions; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED  
AN ACT

To amend Part 2 of Article 3 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to the Heritage Trust Program, so as to authorize the State of Georgia to transfer its interests in heritage preserve properties to a county or local government upon certain conditions; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Part 2 of Article 3 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to the Heritage Trust Program, is amended by revising Code Section 12-3-76, relating to use of heritage preserves, as follows:

"12-3-76.

(a) Heritage preserves shall be held by the state in trust for the benefit of the present and future generations of the people of the State of Georgia. Each heritage preserve shall be put to the designated use or uses which confer the best and most important benefit to the public. Heritage preserves shall not be put to any use other than the dedicated use or uses except pursuant to the following procedure:

- (1) A state agency, department, or authority with a direct interest in the use of a heritage preserve must submit in writing a petition to the board that an imperative and unavoidable necessity for such other use exists;
- (2) Upon receipt of such petition, the board shall give public hearing thereon in the county or counties in which the heritage preserve is located;
- (3) The board shall consider fully all testimony relative to the proposed use and submit a recommendation to the General Assembly; and
- (4) The General Assembly may then determine if such use is in the public interest and may by statute approve such other use of the heritage preserve.

(b) The State of Georgia and the Department of Natural Resources may convey fee simple title in a property dedicated as a heritage preserve under Code Section 12-3-75 for good and valuable consideration as determined by the State Properties Commission to a willing county or local government pursuant to the following procedures:

- (1) The department shall submit a request in writing to the board to remove the heritage preserve dedication from the property and to convey the property to the county or local government, subject to the grant of a perpetual conservation easement to the State of Georgia and the department that is consistent with the best and most important uses established in the written recommendation and approval of the Governor dedicating the property as a heritage preserve and the conservation values identified by the department, as well as any other restrictions applicable to the property;

(2) The board shall make a determination, after a public hearing, that the removal of the heritage preserve dedication from the property and its conveyance to the county or local government subject to a conservation easement is in the best interest of the State of Georgia;

(3) The conveyance is approved by the General Assembly and the State Properties Commission; and

(4) The department shall file with the Secretary of State and the office of the clerk of the superior court of the county or counties in which the property is located a notice of the removal of the heritage preserve dedication simultaneously with the recordation of the conservation easement in the real property records of the county or counties in which the property is located.

(c) Nothing in this Code section shall be construed so as to give county or local governments the authority to assign their interests in property conveyed pursuant to subsection (b) of this Code section to a private individual or entity.

(d) Nothing in this Code section shall be construed so as to compel a county or local government to accept conveyance of a heritage preserve, and no conveyance shall take place without the approval of the local governing authority.

(e) In the event that a county or local government that is in receipt of property pursuant to this Code section fails to satisfy the requirements and restrictions placed in the conservation easement, said property may, within the discretion of the department, revert back to the State of Georgia."

**SECTION 2.**

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

**SECTION 3.**

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

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

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

Y Abdul-Salaam	Y Davis	E Heckstall	Y Mayo	Y Setzler
Y Abrams	Y Dawkins-Haigler	Y Hembree	Y McBrayer	Y Shaw
Y Allison	Y Dempsey	Y Henson	Y McCall	E Sheldon
Y Amerson	Y Dickerson	Y Hill	Y McKillip	Y Sims, B
Y Anderson	Y Dickey	Y Holcomb	Y Meadows	Y Sims, C
Y Ashe	Y Dickson	Holmes	Y Mills	Y Smith, E
Y Atwood	Y Dobbs	Y Holt	Y Mitchell	E Smith, K
Y Austin	Y Dollar	Y Horne	Y Morgan	Y Smith, L
Y Baker	Y Drenner	Y Houston	Y Morris	Y Smith, R
Y Battles	Y Dudgeon	Y Howard	Y Mosby	Y Smith, T

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

On the passage of the Bill, by substitute, the ayes were 162, nays 3.

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

Representatives Holmes of the 125th, Hudson of the 124th and Lucas of the 139th 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 223. By Representatives Jasperse of the 12th, England of the 108th, McCall of the 30th and Roberts of the 154th:

A BILL to be entitled an Act to amend Code Section 8-2-25 of the Official Code of Georgia Annotated, relating to state-wide application of minimum standard building codes, codes requiring adoption by municipality or county, adoption of more stringent requirements by local governments, and adoption of standards for which state code does not exist, so as to provide an exemption for certain farm buildings or structures; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 8-2-25 of the Official Code of Georgia Annotated, relating to state-wide application of minimum standard building codes, codes requiring adoption by municipality or county, adoption of more stringent requirements by local governments, and adoption of standards for which state code does not exist, so as to provide an exemption for certain farm buildings or structures; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 8-2-25 of the Official Code of Georgia Annotated, relating to state-wide application of minimum standard building codes, codes requiring adoption by municipality or county, adoption of more stringent requirements by local governments, and adoption of standards for which state code does not exist, is amended by adding a new subsection to read as follows:

"(e)(1) As used in this subsection, the term:

(A) 'Agriculture,' 'agricultural operations,' or 'agricultural or farm products' has the meaning provided by Code Section 1-3-3.

(B) 'Farm' means real property or a portion thereof used for agricultural operations.

(C) 'Farm building or structure' means a building or structure that is located on a farm and designed by the USDA Natural Resources Conservation Service (NRCS), not used for residential purposes, not intended primarily for public use, and used primarily for or in connection with agricultural operations for the sole purposes of manure storage and animal mortality composting or winter feeding and following the standards and specifications of NRCS practice codes 313 – Waste Storage Facility and 317 – Composting Facility as detailed in the USDA NRCS Field Office Technical Guide as such existed on January 1, 2011.

(2) Farm buildings or structures shall be exempt from the state minimum standard building codes provided for in subdivisions (9)(B)(i)(I) and (9)(B)(i)(IX) of Code Section 8-2-20 and any amendment thereto adopted by the department pursuant to Code Section 8-2-23 or by a municipality or county pursuant to Code Section 8-2-25."

**SECTION 2.**

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

**SECTION 3.**

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

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

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

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

On the passage of the Bill, by substitute, the ayes were 169, nays 1.

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

Due to a mechanical malfunction, the vote of Representative Stephens of the 164th was not recorded on the preceding roll call. He wished to be recorded as voting "aye" thereon.

HB 172. By Representatives Coleman of the 97th, Casas of the 103rd, Nix of the 69th, Ashe of the 56th, Clark of the 104th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to extend the date by which school systems must notify the department of their intention to request flexibility or remain status quo; to temporarily extend certain expenditure control waivers relating to funds earned for direct instructional costs, media center costs, staff and professional development costs, and additional days of instruction; to provide for automatic repeal; to temporarily extend flexibility in maximum class size requirements in kindergarten through grade eight; to temporarily extend certain deadlines relating to annual teacher contracts; to provide for related matters; to provide for an effective date; 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:

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

Y Coleman	Y Harden, B	Y Maddox, B	Y Riley	Williams, A
E Collins	Y Harden, M	Y Maddox, G	Y Roberts	N Williams, E
Y Cooke	Y Harrell	Y Manning	Y Rogers	Y Williams, R
Y Coomer	Y Hatchett	E Marin	Y Rynders	Y Williamson
Y Cooper	N Hatfield	Y Martin	E Scott, M	Y Yates
N Crawford	N Heard	Y Maxwell	N Scott, S	Ralston, Speaker

On the passage of the Bill, the ayes were 128, nays 42.

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

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

February 23, 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 172 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, having been previously postponed, was again postponed until tomorrow:

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

HR 386. By Representatives Harrell of the 106th, Casas of the 103rd, Dickerson of the 95th, Pak of the 102nd, Coleman of the 97th and others:

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

HR 387. By Representatives Kaiser of the 59th, Parent of the 81st, Benfield of the 85th, Ashe of the 56th, Heard of the 114th and others:

A RESOLUTION commending the band Drivin' 'N' Cryin' and inviting them to be recognized by the House of Representatives; and for other purposes.

HR 388. By Representatives England of the 108th, Ralston of the 7th and Huckaby of the 113th:

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

HR 389. By Representatives Ralston of the 7th, Riley of the 50th, Jones of the 46th and Martin of the 47th:

A RESOLUTION commending the Will to Live Foundation and inviting the Trautwein family to be recognized by the House of Representatives; and for other purposes.

HR 390. By Representatives Ralston of the 7th, McKillip of the 115th, Huckaby of the 113th and Heard of the 114th:

A RESOLUTION commending Mr. Tony "T." Graham Brown and inviting him to be recognized by the House of Representatives; and for other purposes.

HR 391. By Representatives McKillip of the 115th, Ramsey of the 72nd, Huckaby of the 113th, Heard of the 114th, Peake of the 137th and others:

A RESOLUTION commending the 2009-2010 University of Georgia majorette line 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 382. By Representatives Sheldon of the 105th, Rice of the 51st, Coleman of the 97th, Clark of the 104th, Pak of the 102nd and others:

A RESOLUTION recognizing Wednesday, February 23, 2011, as Gwinnett County Day at the capitol; and for other purposes.

HR 392. By Representative Ralston of the 7th:

A RESOLUTION commending Mrs. Shannon York, Fannin County School System's 2012 Teacher of the Year; and for other purposes.

HR 393. By Representative Manning of the 32nd:

A RESOLUTION recognizing and commending Girls Incorporated of Greater Atlanta; and for other purposes.

HR 394. By Representative Jones of the 44th:

A RESOLUTION honoring the life and achievements of Mrs. Amelia Boynton-Robinson; and for other purposes.

HR 395. By Representative Jerguson of the 22nd:

A RESOLUTION recognizing and commending Cody James Blackwell; and for other purposes.

HR 396. By Representatives Jerguson of the 22nd and Teasley of the 38th:

A RESOLUTION recognizing and commending Dr. Jim Noel Law on the occasion of his 20th pastoral anniversary; and for other purposes.

- HR 397. By Representative Heckstall of the 62nd:  
A RESOLUTION recognizing and commending Dr. Michael H. Robinson; and for other purposes.
- HR 398. By Representatives Dudgeon of the 24th and Riley of the 50th:  
A RESOLUTION recognizing and commending Marshall Langford "Lang" Davis; and for other purposes.
- HR 399. By Representatives Howard of the 121st, Sims of the 119th, Murphy of the 120th, Smith of the 122nd, Harbin of the 118th and others:  
A RESOLUTION recognizing and commending Mr. Allen Isdell, Sr.; and for other purposes.
- HR 400. By Representatives Watson of the 163rd, Purcell of the 159th, Cooper of the 41st, Stephens of the 164th and Bryant of the 160th:  
A RESOLUTION recognizing and commending Dr. E. Daniel DeLoach; and for other purposes.
- HR 401. By Representative Watson of the 163rd:  
A RESOLUTION honoring the life and memory of Mr. Billy Joe "Bill" Saunders; and for other purposes.
- HR 402. By Representatives Mills of the 25th, Rogers of the 26th and Collins of the 27th:  
A RESOLUTION recognizing the Georgia Underage Alcohol Investigations Group of the Department of Revenue's Alcohol and Tobacco Division; and for other purposes.
- HR 403. By Representative O'Neal of the 146th:  
A RESOLUTION commending the Georgia Association of REALTORS (GAR) and recognizing February 28, 2011, as GAR Day at the state capitol; and for other purposes.

HR 404. By Representative Heckstall of the 62nd:

A RESOLUTION commending Ms. Geneva L. Burden; and for other purposes.

HR 405. By Representative Wilkinson of the 52nd:

A RESOLUTION recognizing and commending Ms. Susanna Capelouto; and for other purposes.

HR 406. By Representatives Bearden of the 68th, Ramsey of the 72nd and Powell of the 171st:

A RESOLUTION recognizing and commending the Fraternal Order of Police for its outstanding service to the law enforcement officers of this state and recognizing March 2 as Fraternal Order of Police day at the state capitol; and for other purposes.

The following Resolution of the House was read:

HR 385. By Representative O`Neal of the 146th

#### A RESOLUTION

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that, unless otherwise provided by subsequent resolution of the General Assembly, the meeting dates and dates of adjournment for the 2011 regular session of the General Assembly for the period of Thursday, February 24, 2011, through Monday March 21, 2011, shall be as follows:

Thursday, February 24 .....	in session for legislative day 19
Friday, February 25 through Sunday, February 27 .....	in adjournment
Monday, February 28 .....	in session for legislative day 20
Tuesday, March 1 .....	in session for legislative day 21
Wednesday, March 2 .....	in session for legislative day 22
Thursday, March 3 .....	in session for legislative day 23
Friday, March 4 .....	in session for legislative day 24
Saturday, March 5 and Sunday, March 6 .....	in adjournment
Monday, March 7 .....	in session for legislative day 25
Tuesday, March 8 .....	in session for legislative day 26
Wednesday, March 9 .....	in session for legislative day 27
Thursday, March 10 .....	in session for legislative day 28
Friday March 11 through Sunday, March 13 .....	in adjournment

Monday, March 14 ..... in session for legislative day 29  
 Tuesday, March 15 ..... in adjournment  
 Wednesday, March 16 ..... in session for legislative day 30  
 Thursday, March 17 through Sunday, March 20 ..... in adjournment  
 Monday, March 21 ..... in session for legislative day 31

BE IT FURTHER RESOLVED that on and after March 21, 2011, the periods of adjournment of the 2011 session, if any, shall be as specified by subsequent resolution of the General Assembly; provided that unless otherwise specified by subsequent resolution the General Assembly shall be in adjournment on each Saturday and Sunday.

BE IT FURTHER RESOLVED that, as authorized by Code Section 28-1-2, the hours for closing and convening the Senate on each day may be as ordered by the Senate; and the hours for closing and convening the House on each day may be as ordered by the House.

On the adoption of the Resolution, the roll call was ordered and the vote was as follows:

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

Y Coomer	Y Hatchett	E Marin	Y Rynders	Y Williamson
Cooper	Y Hatfield	Y Martin	E Scott, M	Y Yates
Y Crawford	Y Heard	Y Maxwell	Scott, S	Ralston, Speaker

On the adoption of the Resolution, the ayes were 156, nays 0.

The Resolution was adopted.

Representative Amerson of the 9th 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 O'Neal of the 146th moved that the House do now adjourn until 10:00 o'clock, tomorrow morning, and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.