

Representative Hall, Atlanta, Georgia**Thursday, February 24, 2011****Nineteenth 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:

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

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

Representatives Ashe of the 56th, Buckner of the 130th, Dukes of the 150th, Fludd of the 66th, Fullerton of the 151st, Harden of the 28th, Jordan of the 77th, Kidd of the 141st, Maddox of the 127th, Morris of the 155th, Neal of the 75th, Powell of the 29th, Randall of the 138th, Reece of the 11th, Sims of the 169th, and Walker of the 107th.

They wished to be recorded as present.

Due to a mechanical malfunction, Representative Braddock of the 19th was not recorded on the attendance roll call. She wishes to be recorded as present.

Prayer was offered by Reverend Lenton Mitchell, Jr., Pilgrim Baptist Church, Marietta, 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 337. By Representatives Greene of the 149th, Maxwell of the 17th and Benton of the 31st:

A BILL to be entitled an Act to amend Code Section 47-16-101 of the Official Code of Georgia Annotated, relating to retirement benefit options under the Sheriffs' Retirement Fund of Georgia, failure of a member to select an option, effect of changes in retirement benefits and options, and change of

option after receipt of payments, so as to provide that in the event of divorce a retired member who has elected a spouses' option may elect to continue or revoke such coverage; to provide for an increase in benefit; to provide for remarriage; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 338. By Representative Bryant of the 160th:

A BILL to be entitled an Act to amend Title 44 of the Official Code of Georgia Annotated, relating to property, so as to extensively revise and enact provisions relating to the creation, transfer, modification, and foreclosure of mortgages and deeds to secure debt as well as other documents creating security interests; to provide a short title; to regulate the transfer of security interests; to require recording as condition of foreclosure; to provide for a minimum period of delinquency before foreclosure and other proceedings may be commenced; to provide that creditors must provide owners of residential property with a right to cure and a notice of such right prior to commencing foreclosure proceedings; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Banks & Banking.

HB 339. By Representatives Welch of the 110th, Willard of the 49th, Abrams of the 84th, Mills of the 25th, Maddox of the 127th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency powers, so as to revise the courts to which a challenge of a quarantine or vaccination order may be brought; to revise the manner of appealing orders concerning such challenges; to remove the Chief Judge of the Court of Appeals from the definition of authorized judicial officials for certain judicial emergencies; to extend the duration of a judicial emergency order when a public health emergency exists; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 340. By Representative Greene of the 149th:

A BILL to be entitled an Act to amend Code Section 42-5-51 of the Official Code of Georgia Annotated, relating to jurisdiction over certain misdemeanor

offenders, designation of place of confinement of inmates, reimbursement of county, and transfer of inmates to federal authority, so as to provide for electronic submission of sentencing documentation; to provide for a reimbursement rate; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Institutions & Property.

HB 341. By Representatives Rogers of the 26th, Heard of the 114th and Harbin of the 118th:

A BILL to be entitled an Act to amend Chapter 14 of Title 33 of the Official Code of Georgia Annotated, relating to domestic stock and mutual insurers, so as to provide for the establishment of limited purpose subsidiary life insurance companies; to provide for definitions; to provide for requirements; to provide for investment of funds; to provide for organization; to provide for reinsurance; to provide for applicability; to provide for promulgation of rules; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

HB 342. By Representatives McKillip of the 115th, Lindsey of the 54th, Evans of the 40th and Houston of the 170th:

A BILL to be entitled an Act to amend Article 7 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to stalking, so as to define "family violence order"; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 343. By Representatives Cooper of the 41st, Huckaby of the 113th, Collins of the 27th, Carter of the 175th, Houston of the 170th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 1 of Title 37 of the Official Code of Georgia Annotated, relating to the powers and duties of the Department of Behavioral Health and Developmental Disabilities as it related to mental health, so as to provide for crisis stabilization units for the purpose of providing psychiatric stabilization or detoxification services; to provide for a definition; to provide for licensure; to provide for requirements; to provide for rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

HB 344. By Representatives Baker of the 78th, Weldon of the 3rd, Allison of the 8th, Epps of the 140th, Neal of the 75th and others:

A BILL to be entitled an Act to amend Article 4 of Chapter 23 of Title 47 of the Official Code of Georgia Annotated, relating to service creditable under the Georgia Judicial Retirement System, so as to provide that juvenile court judges and other members of such retirement system may obtain creditable service for prior service as a full-time associate juvenile court judge; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 345. By Representatives Gardner of the 57th, Fullerton of the 151st, Ashe of the 56th, Oliver of the 83rd, Morgan of the 39th and others:

A BILL to be entitled an Act to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, so as to provide that children and pregnant women who are lawfully admitted qualified aliens, regardless of the duration of lawful residence in this state, shall be eligible for Medicaid if they otherwise meet the eligibility requirements; to amend Article 13 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to the PeachCare for Kids Program, so as to provide that children and pregnant women who are lawfully admitted qualified aliens, regardless of the duration of lawful residence in this state, shall be eligible for PeachCare if they otherwise meet the eligibility requirements; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 346. By Representative Knight of the 126th:

A BILL to be entitled an Act to amend Code Section 48-7-1 of the Official Code of Georgia Annotated, relating to definitions regarding income taxes, so as to change the definition of taxable nonresident for income tax purposes; to provide an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 348. By Representatives Allison of the 8th, Brockway of the 101st and Harden of the 28th:

A BILL to be entitled an Act to amend Article 2 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against public order, so as to change provisions relating to criminal defamation; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 349. By Representatives Fludd of the 66th, Yates of the 73rd and Jordan of the 77th:

A BILL to be entitled an Act to authorize the City of Fayetteville 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 350. By Representative Maxwell of the 17th:

A BILL to be entitled an Act to amend Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to exemptions to requirements for disclosure of public records, so as to provide for an exemption to open records requirements for certain records maintained by the Department of Early Care and Learning; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 351. By Representative Maxwell of the 17th:

A BILL to be entitled an Act to amend Article 4 of Chapter 11 of Title 47 of the Official Code of Georgia Annotated, relating to revenues collected from fines and fees in the probate courts, so as to change the portion of such fines paid to the Judges of the Probate Courts Retirement Fund of Georgia; to provide that a portion of certain fines collected in certain state courts shall be paid to such retirement fund; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 352. By Representatives Martin of the 47th, Riley of the 50th, Wilkinson of the 52nd, Geisinger of the 48th, Jones of the 46th and others:

A BILL to be entitled an Act to amend Code Section 32-10-65.1 of the Official Code of Georgia Annotated, relating to the expiration and extension of tolls by the State Road and Tollway Authority, so as to provide that toll extensions must be approved by the General Assembly; to provide that no tolls shall be charged on projects that are free from interest on public indebtedness; to provide for legislative reports; 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 353. By Representative Martin of the 47th:

A BILL to be entitled an Act to amend Article 2 of Chapter 2 of Title 48 of the Official Code of Georgia Annotated, relating to state administrative provisions, so as to change certain provisions regarding the rate of interest to be paid for refunds and on past due taxes; to provide an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 354. By Representative Martin of the 47th:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions regarding income taxes, so as to revise and change individual income tax standard deductions; to provide for annual adjustments with respect to such standard deductions; to provide for powers, duties, and authority of the state revenue commissioner; to provide for an effective date and applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 355. By Representative Martin of the 47th:

A BILL to be entitled an Act to amend Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, so as to repeal the corporate net worth tax; to provide an effective date; to provide for applicability; to provide that this Act shall not abate or affect

prosecutions, punishments, penalties, administrative proceedings or remedies, or civil actions related to certain violations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 356. By Representative Sims of the 169th:

A BILL to be entitled an Act to amend Chapter 14 of Title 10 of the Official Code of Georgia Annotated, the "Georgia Cemetery and Funeral Services Act of 2000," so as to provide that preneed escrow accounts may be titled in the name of and made payable in favor of an entity registered to provide preneed services upon the death of the purchaser; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries.

HR 383. By Representatives Rynders of the 152nd, Ehrhart of the 36th, England of the 108th, Roberts of the 154th, Powell of the 171st and others:

A RESOLUTION proposing an amendment to the Constitution of the State of Georgia so as to provide that increases in tuition and fees at institutions of the University System of Georgia shall not exceed the rate of inflation unless approved by joint resolution of the General Assembly; to provide for this amendment to be self-executing but authorize general laws relating to its implementation; to provide for submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Appropriations.

HR 384. By Representatives Brooks of the 63rd, Wilkinson of the 52nd, McCall of the 30th, Beasley-Teague of the 65th, Heard of the 114th and others:

A RESOLUTION creating the House Study Committee on Procurement Policies of Georgia Departments and Agencies Regarding Businesses Owned by Minorities and Women; and for other purposes.

Referred to the Committee on State Institutions & Property.

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 367. By Representatives Pruett of the 144th, England of the 108th, McCall of the 30th, Benfield of the 85th, Ashe of the 56th and others:

A BILL to be entitled an Act to promote the production, purchase, and consumption of Georgia-grown farm products; to amend Chapter 2 of Title 2 of the Official Code of Georgia Annotated, relating to the Department of Agriculture, so as to provide for food procurement procedures and materials that encourage and facilitate the purchase of Georgia-grown food by state agencies and institutions; 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 the operation of school gardens and farms; to provide for a farm to school program to promote the sale of Georgia-grown farm products to county and independent school districts in this state; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture & Consumer Affairs.

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

HB 313	HB 314
HB 315	HB 316
HB 317	HB 318
HB 319	HB 320
HB 321	HB 322
HB 323	HB 324
HB 325	HB 327
HB 328	HB 329
HB 330	HB 331
HB 332	HB 333
HB 334	HB 335
HB 336	HB 347
HR 363	HR 364
HR 381	SB 38
SB 47	

Representative England of the 108th District, Chairman of the Committee on Appropriations, submitted the following report:

Mr. Speaker:

Your Committee on Appropriations 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 326 Do Pass, by Substitute

Respectfully submitted,
/s/ England of the 108th
Chairman

Representative Stephens of the 164th District, Chairman of the Committee on Economic Development and Tourism, submitted the following report:

Mr. Speaker:

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

HB 76 Do Pass, by Substitute
HB 264 Do Pass
HR 251 Do Pass

Respectfully submitted,
/s/ Stephens of the 164th
Chairman

Representative Parsons of the 42nd District, Chairman of the Committee on Energy, Utilities, and Telecommunications, submitted the following report:

Mr. Speaker:

Your Committee on Energy, Utilities, and Telecommunications 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 216 Do Pass

Respectfully submitted,
/s/ Parsons of the 42nd
Chairman

Representative Hamilton of the 23rd District, Chairman of the Committee on Governmental Affairs, submitted the following report:

Mr. Speaker:

Your Committee on Governmental Affairs 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 80	Do Pass, by Substitute	HB 124	Do Pass
HB 262	Do Pass	HB 290	Do Pass

Respectfully submitted,
/s/ Hamilton of the 23rd
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 Senate and has instructed me to report the same back to the House with the following recommendations:

HB 195	Do Pass	HB 251	Do Pass
HB 294	Do Pass	HB 300	Do Pass
SB 56	Do Pass		

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

Representative Golick of the 34th District, Chairman of the Committee on Judiciary Non-Civil, submitted the following report:

Mr. Speaker:

Your Committee on Judiciary Non-Civil 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 123	Do Pass, by Substitute	HB 199	Do Pass
HB 200	Do Pass, by Substitute	HB 265	Do Pass, by Substitute

Respectfully submitted,
/s/ Golick of the 34th
Chairman

Representative Williams of the 4th District, Chairman of the Committee on Regulated Industries, submitted the following report:

Mr. Speaker:

Your Committee on Regulated Industries 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 70 Do Pass

Respectfully submitted,
/s/ Williams of the 4th
Chairman

Representative Maxwell of the 17th District, Chairman of the Committee on Retirement, submitted the following report:

Mr. Speaker:

Your Committee on Retirement 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 293 Do Pass
HB 297 Do Pass

Respectfully submitted,
/s/ Maxwell of the 17th
Chairman

The following Resolution of the House, referred to the House Rules Subcommittee on Invites, was reported by the Committee on Rules with the following recommendation:

HR 365 Do Pass

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

HOUSE RULES CALENDAR
THURSDAY, FEBRUARY 24, 2011

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 19th Legislative Day as enumerated below:

DEBATE CALENDAR

Open Rule

None

Modified Open Rule

None

Modified Structured Rule

HB 126 Holidays; Patriots Day the nineteenth of April each year; designate (D&VA-Benton-31st)

HB 179 State highway system; permits for legally erected signs; change provisions (Substitute) (Trans-Burns-157th) (AM# 34 0476)

Pursuant to Rule 33.3, debate on HB 179 is limited to two hours. Time to be allocated at the discretion of the Speaker.

HB 193 Union County; chief magistrate elections; provide (IGC-Allison-8th)

HB 194 Union County; probate court judge elections; provide (IGC-Allison-8th)

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 108, the House commended Dr. Arthur Leroy Dorminy as the Distinguished Older Georgian for 2011 and invited him to be recognized by the House of Representatives.

Pursuant to HR 50, the House honored the life and memory of Mr. Raymond Royal Marshall.

Pursuant to HR 343, the House commended Mrs. Kimberly McGuiness and invited her to be recognized by the House of Representatives.

Pursuant to HR 254, the House commended Alpha Phi Alpha Fraternity, Inc., and the Georgia District Chapters and invited the Georgia District Director and representatives of Alpha Phi Alpha Fraternity, Inc., to be recognized by the House of Representatives.

Pursuant to HR 365, the House commended Major General Ronald L. Bailey and invited him to be recognized by the House of Representatives.

Pursuant to HR 107, the House recognized Mr. James G. Ledbetter on the occasion of his retirement and invited him to be recognized by the House of Representatives.

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

HB 195. By Representatives Taylor of the 79th, Jacobs of the 80th and Parent of the 81st:

A BILL to be entitled an Act to authorize the City of Dunwoody to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII 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.

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

HB 251. By Representatives Benton of the 31st and McCall of the 30th:

A BILL to be entitled an Act to provide for the creation of one or more community improvement districts in Jackson County; to provide for a short title; to provide for the purposes of the said districts; to provide for definitions; to provide for boards to administer said districts; to provide for appointment or election of members of said boards; to provide for taxes, fees,

and assessments; to provide for the boundaries of said districts; to provide for construction; to provide that Chapter 5 of Title 10 of the O.C.G.A., the "Georgia Securities Act of 1973" shall not apply to the offer, sale, or issuance of the boards' bonds, notes, or other obligations; to provide that no notice, proceeding, publication, or referendum shall be required; to provide for dissolutions; to provide the procedures connected with all of the foregoing; 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 294. By Representatives Maxwell of the 17th and Braddock of the 19th:

A BILL to be entitled an Act to amend an Act to create a board of elections and registration for Paulding County and to provide for its powers and duties, approved May 30, 2007 (Ga. L. 2007, p. 4382), so as to provide for staggered terms of office for members of the board; 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.

HB 300. By Representatives Channell of the 116th, Kidd of the 141st and Hudson of the 124th:

A BILL to be entitled an Act to amend an Act creating the Board of Commissioners of Putnam County, approved September 8, 1879 (Ga. L. 1879, p. 334), as amended, particularly by an Act approved February 13, 1957 (Ga. L. 1957, p. 2130), an Act approved April 11, 1979 (Ga. L. 1979, p. 3496), an Act approved March 30, 1987 (Ga. L. 1987, p. 4819), an Act approved March 30, 1993 (Ga. L. 1993, p. 4410), and an Act approved April 1, 1996 (Ga. L. 1996, p. 3804), so as to provide for certain compensation of the members of the board; 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.

SB 56. By Senator Hooks of the 14th:

A BILL to be entitled an Act to amend an Act creating the Americus-Sumter County Airport Authority, approved April 19, 2000 (Ga. L. 2000, p. 4082),

so as to change the membership of the authority; 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:

E Abdul-Salaam	Y Davis	Y Heckstall	Y Mayo	Setzler
Y Abrams	Y Dawkins-Haigler	Y Hembree	Y McBrayer	Y Shaw
Y Allison	Y Dempsey	E Henson	Y McCall	Y Sheldon
Y Amerson	Y Dickerson	Y Hill	Y McKillip	Y Sims, B
Y Anderson	Y Dickey	Y Holcomb	Y Meadows	Sims, C
Y Ashe	Y Dickson	Y Holmes	Y Mills	Y Smith, E
Y Atwood	Y Dobbs	Y Holt	Mitchell	Y Smith, K
Y Austin	Y Dollar	Y Horne	Morgan	Y Smith, L
Y Baker	Y Drenner	Y Houston	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	Y Stephens, R
Y Benton	Epps, C	Y Jacobs	Y Nix	E 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
Bruce	Franklin	Y Jones, J	Y Parrish	Y Taylor, T
Y Bryant	Y Frazier	Y Jones, S	Y Parsons	Y Teasley
Y Buckner	Y Fullerton	Jordan	Y Peake	Y Thomas
Y Burns	Gardner	Y Kaiser	Y Powell, A	Y Tinubu
Y Byrd	Y Geisinger	Y Kendrick	Y Powell, J	Y Walker
Y Carter	Y Golick	Kidd	Y Pruett	Y Watson
Y Casas	Y Gordon	Y Knight	Y Purcell	Y Welch
Y Channell	Y Greene	Y Lane	Y Ramsey	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	E Willard
Y Coleman	Y Harden, B	Maddox, B	Y Riley	Y Williams, A
Y 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	Williamson
Cooper	Y Hatfield	Y Martin	Y Scott, M	Y Yates
Y Crawford	Y Heard	Y Maxwell	Y Scott, S	Ralston, Speaker

On the passage of the Bills, the ayes were 156, nays 0.

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

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 31. By Senators Carter of the 42nd, Hamrick of the 30th, Seabaugh of the 28th, Crosby of the 13th, Cowsert of the 46th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 9 of Title 24 of the Official Code of Georgia Annotated, relating to privilege, so as to extend the attorney-client privilege to third persons under certain circumstances; to correct cross-references; to amend Code Section 17-16-94 of the Official Code of Georgia Annotated, relating to disclosure required by the prosecuting attorney and defendant, to correct a cross-reference; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 36. By Senators Carter of the 1st, Unterman of the 45th, Goggans of the 7th, Ligon, Jr. of the 3rd, Bethel of the 54th and others:

A BILL to be entitled an Act to amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to provide for the establishment of a program to monitor the prescribing and dispensing of Schedule II, III, IV, and V controlled substances; to provide for definitions; to require dispensers to submit certain information regarding the dispensing of such controlled substances; to provide for the confidentiality of submitted information except under certain circumstances; to provide for the establishment of an Electronic Database Review Advisory Committee; to provide for its membership, duties, and organization; to provide for the establishment of rules and regulations; to provide for limited liability; to provide for penalties; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The Senate has adopted by the requisite constitutional majority the following resolution of the Senate:

SR 114. By Senator Balfour of the 9th:

A RESOLUTION authorizing the conveyance of certain state owned real property located in Gwinnett County, Georgia; to repeal conflicting laws; and for other purposes.

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

- SB 31. By Senators Carter of the 42nd, Hamrick of the 30th, Seabaugh of the 28th, Crosby of the 13th, Cowsert of the 46th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 9 of Title 24 of the Official Code of Georgia Annotated, relating to privilege, so as to extend the attorney-client privilege to third persons under certain circumstances; to correct cross-references; to amend Code Section 17-16-94 of the Official Code of Georgia Annotated, relating to disclosure required by the prosecuting attorney and defendant, to correct a cross-reference; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

- SB 36. By Senators Carter of the 1st, Unterman of the 45th, Goggans of the 7th, Ligon, Jr. of the 3rd, Bethel of the 54th and others:

A BILL to be entitled an Act to amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to provide for the establishment of a program to monitor the prescribing and dispensing of Schedule II, III, IV, and V controlled substances; to provide for definitions; to require dispensers to submit certain information regarding the dispensing of such controlled substances; to provide for the confidentiality of submitted information except under certain circumstances; to provide for the establishment of an Electronic Database Review Advisory Committee; to provide for its membership, duties, and organization; to provide for the establishment of rules and regulations; to provide for limited liability; to provide for penalties; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

- SR 114. By Senator Balfour of the 9th:

A RESOLUTION authorizing the conveyance of certain state owned real property located in Gwinnett County, Georgia; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Institutions & Property.

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

Representatives Holt of the 112th, Hudson of the 124th, Brooks of the 63rd, Neal of the 1st, Wilkerson of the 33rd, and Nix of the 69th.

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

HR 365. By Representatives Jordan of the 77th and Stephens of the 161st:

A RESOLUTION commending Major General Ronald L. Bailey 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 193. By Representative Allison of the 8th:

A BILL to be entitled an Act to amend an Act providing that the judge of the Probate Court of Union County shall serve as chief magistrate of the Magistrate Court of Union County, approved February 25, 1997 (Ga. L. 1997, p. 3504), as amended, particularly by an Act approved April 9, 1999 (Ga. L. 1999, p. 3799), so as to provide that the chief magistrate shall be elected on a nonpartisan basis; to provide for submission of this Act under the federal Voting Rights Act of 1965, as amended; to provide for related matters; to provide 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:

E Abdul-Salaam	Y Davis	Y Heckstall	Y Mayo	Y Setzler
Y Abrams	Y Dawkins-Haigler	Y Hembree	Y McBrayer	Y Shaw
Y Allison	Dempsey	Y Henson	Y McCall	Sheldon
Y Amerson	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	N Mills	Y Smith, E
Y Atwood	Y Dobbs	Holt	Y Mitchell	Y 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	Y Hudson	Y Neal, J	Y Spencer
Y Bell	N Ehrhart	N 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	Nix	E 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	N Walker
Y Carter	Y Golick	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	Randall	Y Wilkerson
Y Clark, J	Y Hanner	Y Long	N Reece	Y Wilkinson
Y Clark, V	E Harbin	Y Lucas	Y Rice	E Willard
Y Coleman	Y Harden, B	Y Maddox, B	Y Riley	Y Williams, A
Collins	Y Harden, M	Y Maddox, G	Y Roberts	Y Williams, E
Y Cooke	Y Harrell	Y Manning	Y Rogers	Y Williams, R
Coomer	Y Hatchett	E Marin	Y Rynders	Y Williamson
Cooper	Y Hatfield	Y Martin	Y Scott, M	Y Yates
Y Crawford	Y Heard	N Maxwell	N Scott, S	Ralston, Speaker

On the passage of the Bill, the ayes were 154, nays 8.

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

Representatives Dempsey of the 13th, Dukes of the 150th, and Holt of the 112th 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.

Representative Smyre of the 132nd stated that he inadvertently voted "aye" on the preceding roll call. He wished to be recorded as voting "nay" thereon.

Representative Randall of the 138th stated that she had been called from the floor of the House during the preceding roll call. She wished to be recorded as voting "nay" thereon.

HB 194. By Representative Allison of the 8th:

A BILL to be entitled an Act to provide that future elections for the office of judge of the probate court of Union County shall be nonpartisan elections; to provide for submission of this Act for preclearance under the federal Voting Rights Act of 1965, as amended; to provide for related matters; to provide 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:

E Abdul-Salaam	Y Davis	Y Heckstall	Y Mayo	Y Setzler
Y Abrams	Y Dawkins-Haigler	Y Hembree	Y McBrayer	Y Shaw
Y Allison	Y Dempsey	Y Henson	Y McCall	Y Sheldon
Y Amerson	Y Dickerson	Y Hill	Y McKillip	Y Sims, B
Y Anderson	Y Dickey	Y Holcomb	N Meadows	Y Sims, C
Y Ashe	Y Dickson	Y Holmes	N Mills	Y Smith, E
Y Atwood	Y Dobbs	Holt	Y Mitchell	Y 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	N Smyre
Y Beasley-Teague	Y Dutton	Y Hudson	Y Neal, J	Y Spencer
Y Bell	N Ehrhart	N 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	Nix	E 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	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	N Walker
Y Carter	Y Golick	Kidd	Y Pruet	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	Y Wilkerson
Y Clark, J	Y Hanner	Long	N Reece	Y Wilkinson
Y Clark, V	E Harbin	Y Lucas	Y Rice	E Willard
Y Coleman	Y Harden, B	Y Maddox, B	Y Riley	Y Williams, A
Collins	Y Harden, M	Y Maddox, G	Y Roberts	Y Williams, E
Y Cooke	Y Harrell	Y Manning	Y Rogers	Y Williams, R
Coomer	Y Hatchett	E Marin	Y Rynders	Williamson
Cooper	Y Hatfield	Y Martin	Y Scott, M	Y Yates
Y Crawford	Y Heard	N Maxwell	N Scott, S	Ralston, Speaker

On the passage of the Bill, the ayes were 153, nays 11.

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

Representatives Holt of the 112th and Jones of the 46th 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.

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 Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 147	Do Pass, by Substitute
HB 214	Do Pass, by Substitute
HB 249	Do Pass

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

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

HB 179. By Representatives Burns of the 157th, Roberts of the 154th, England of the 108th, Bryant of the 160th, Hamilton of the 23rd and others:

A BILL to be entitled an Act to amend Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to the state highway system, so as to modify the procedures whereby owners of legally erected and maintained signs obtain and renew permits for the installation of signs; to change certain conditions relating to permits to remove vegetation from the viewing zones of outdoor signs; to provide for related matters; to provide for severability; to provide for the Department of Transportation to promulgate forms and policies; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read:

A BILL TO BE ENTITLED
AN ACT

To amend Part 2 of Article 3 of Chapter 6 of Title 32 of the Official Code of Georgia Annotated, relating to the state highway system, so as to modify the procedures whereby owners of legally erected and maintained signs obtain and renew permits for the installation of signs; to change certain conditions relating to permits to remove vegetation from the viewing zones of outdoor signs; to provide for related matters; to provide for

severability; to provide for the Department of Transportation to promulgate forms and policies; to provide for 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 6 of Title 32 of the Official Code of Georgia Annotated, relating to the state highway system, is amended by revising subsection (a) of Code Section 32-6-74, relating to applications for permits for outdoor advertising signs, as follows:

~~"(a) Applications for permits and the renewal thereof authorized by subsections (a) through (d) of Code Section 32-6-79 shall be made to the department upon forms prescribed by the department. The applications shall contain the signature of the applicant and such other information as may be required by the department and shall be verified under oath by the person, firm, or corporation making the application. Permits and renewals thereof shall be issued for and shall be valid only if the sign is erected and maintained in accordance with this part during the 12-month period next following the date of issuance. The fee for the initial issuance of a permit shall be \$50.00. The fee for the renewal of a permit shall be \$25.00. The money received from permit fees shall be used to help defray the expenses of administering this part, Code Section 48-2-17 to the contrary notwithstanding. Upon receipt of a properly executed application and the appropriate fee for the erection or maintenance of a sign which may be lawfully erected or maintained pursuant to this part, the department shall, within 60 days, issue a permit or renewal authorizing the erection or maintenance, or both, of the sign for which application was made except when a person, firm, or corporation is maintaining or allowing the maintenance of an illegal sign as provided for in subsection (f) of Code Section 32-6-79. Application for the renewal of a permit shall be made to the department not more than 90 nor less than 60 days before the expiration date of the permit for which renewal is sought. If the department fails to receive the renewal application before the expiration date of the permit, the department will notify the applicant that the renewal application is overdue when the applicant's address is known or reasonably available to the department and shall give the applicant 30 days after the expiration date to send the department the renewal application. If the applicant does not send the properly executed application and the appropriate fee within the specified 30-day period, the sign shall then become an illegal sign. No permit shall be renewed if the application for the renewal thereof has not been made in accordance with this Code section. Applications for permits authorized by subsections (a) through (d) of Code Section 32-6-79 shall be made to the department upon forms prescribed by the department. The applications shall contain the signature of the applicant and such other information as may be required by the department and shall be verified under oath by the person, firm, or corporation making the application. Permits and renewals thereof shall be issued for and shall be valid only if the sign is erected and maintained in~~

accordance with this part during the 12 month period next following the date of issuance. As to permits for the initial erection of an outdoor advertising sign, one 12 month extension may be granted so long as a written request is submitted to the department at least 30 days prior to expiration along with a fee of \$35.00. Any denial of an extension request shall be sent to the applicant before the expiration date and shall state the basis for denial. Multiple extensions shall not be granted as to the same permit, and the applicant shall not be allowed to reapply for the same site until the extension has expired; however, modifications to the application which do not extend the term of the permit shall be allowed. There shall be an initial outdoor advertising permit fee and an annual renewal fee. For the calendar year 2012 and thereafter, the outdoor advertising application fee shall be \$100.00. For the calendar year 2012 and thereafter, the renewal fee for each permitted sign shall be \$35.00. Application and renewal fees shall be adjusted every three years, except that no fee shall increase more than 20 percent in any three-year period. The department shall set each fee at a level no higher than that necessary to cover the average administrative costs related to such permit or renewal. Under no circumstances shall the amounts of such fees be set at a level whereby receipts for all such fees would exceed the costs of administering the outdoor advertising control program. The department shall post the new fee schedule and an accounting of how such fees are calculated on the department's website no later than January 15, 2015, and January 15 of each subsequent adjustment year. The money received from permit fees shall be used to help defray the expenses of administering this part, Code Section 48-2-17 to the contrary notwithstanding. Upon receipt of a properly executed application and the appropriate fee for the erection or maintenance of a sign which may be lawfully erected or maintained pursuant to this part, the department shall, within 60 days, issue a permit authorizing the erection or maintenance, or both, of the sign for which application was made except when a person, firm, or corporation is maintaining or allowing the maintenance of an illegal sign as provided for in subsection (f) of Code Section 32-6-79. All outdoor advertising permits and renewals shall expire on the first day of April in the year following issuance. Renewal of such permits shall be made to the department between January 1 and April 1 of each calendar year. Notice of such renewal period shall be mailed to each outdoor advertising permit holder along with an itemized list of all permits maintained by such person or entity in the month of December. In response, each permit holder should clearly indicate any permits not being renewed and return a copy to the department along with payment for all permits being renewed. If a permit holder believes the itemized list is incomplete or inaccurate, such permit holder shall clearly note such discrepancies on the list and return a copy to the department with supporting documentation. The permit holder shall submit the renewal and any suggested corrections within 60 days of the date of the department notice or by April 1, whichever occurs last. If the department fails to receive the renewal before the expiration date, the department shall notify the permit holder by certified mail that the renewal is overdue and shall give the permit holder 45 days from the date of the postmark on such notice to send the department the renewal. If the applicant does not send the permit renewal and

fee within 45 days after the postmark date on such notice, the permit shall expire and the sign shall then become an illegal sign. Signs shall become illegal by operation of law after the expiration of the permit followed by notice to the permit holder and a failure to submit for the renewal within 45 days. Any illegal sign may be removed without any administrative proceeding before the department. Vegetation permits or renewals issued pursuant to Code Section 32-6-75.3 shall expire on the first day of September in the year following issuance. If a vegetation permit renewal application and fee is not timely submitted and such deficiency is not cured within 45 days of the postmark date of notice via certified mail from the department, the vegetation permit shall be canceled, but the sign shall not be deemed illegal. No permit shall be renewed if the renewal thereof has not been made in accordance with this Code section."

SECTION 2.

Said part is further amended by revising Code Section 32-6-75.3, relating to applications for tree trimming permits, as follows:

"32-6-75.3.

(a)(1) For purposes of this Code section, the term:

(A) 'Removal' or 'removed' means the elimination of trees or other vegetation from a viewing zone.

(B) 'Target view zone' means an area of the viewing zone extending from the sign to the roadway to which the sign is permitted which shall be angled as requested by the applicant to maximize the visibility of the sign to passing motorists but not to exceed:

(i) Two-hundred and fifty feet along the right of way fence or boundary; and

(ii) Three-hundred and fifty feet along the pavement edge, to include any emergency lane or paved shoulder.

(C) 'Trimming' or 'trimmed' means the pruning of excess limbs or branches from trees or other vegetation which are not removed from a viewing zone.

~~(D)~~ (D) 'Viewing zone' means a continuous 500 foot horizontal distance parallel to a state right of way and adjacent to or otherwise within the line of sight of an outdoor advertising sign.

(2) The General Assembly finds and declares that outdoor advertising provides a substantial service and benefit to Georgia and Georgia's citizens as well as the traveling public. Therefore, the General Assembly declares it to be in the public interest that provisions be made for the visibility of outdoor advertising signs legally erected and maintained along the highways in this state to provide information regarding places offering lodging, food, motor vehicle fuels and lubricants, motor service and repairs, or any other services or products available to the general public. Recognizing, however, that the beautification of this state and the health of its environment are absolutely essential and equally as important to the traveling public, the General Assembly finds and declares that these needs must be balanced.

(b)(1) So as to promote these objectives and in accordance with the provisions of this Code section, the commissioner shall provide by rule or regulation for the issuance

and annual renewal of permits for the trimming and removal of trees and other vegetation on the state rights of way within viewing zones with respect to outdoor advertising signs legally erected and legally maintained adjacent to said rights of way. Such rules and regulations shall include, without limitation, standards for survival of vegetation trimmed or planted.

(2) So as to ensure that no vegetation maintenance permits are issued for the purpose of creating new outdoor advertising signs, no owner of outdoor advertising signs ~~erected after January 1, 1999~~ permitted or assigned a working number by the department after December 31, 2010, or such owner's agent, ~~will~~ shall be eligible to make application for vegetation maintenance for a period of five years from the date a new sign is permitted.

(c) Application for a tree or vegetation trimming or removal permit and the annual renewal thereof shall be made upon the forms prescribed and provided by the department and shall contain the signature of the applicant and such other information as may be required by the department's rules and regulations.

(d) An application fee shall accompany the application for each vegetation maintenance permit, and both the application and fee shall be submitted to the department. There shall be an annual renewal of the permit for activities in the original scope of the permit. The department shall promulgate rules and regulations setting forth the application fees and renewal fees. Such application and renewal fees shall be established by the department in reasonable amounts in order to fully recover the costs of administering the vegetation maintenance program.

(e)(1) The department shall evaluate each application for a permit under this Code section and require as a condition of granting any permit under this Code section that the value of the landscaping to be either provided or paid for by the applicant is not less than the department's appraised value of the benefit to be conferred by the state upon the applicant by allowing the trimming or removing of trees or other vegetation as requested, which shall be the value of the trees or vegetation to be trimmed or removed; provided, however, that a permit may be granted to an otherwise qualified applicant in a case where the value of the landscaping to be either provided or paid for by the applicant is less than the department's appraised value of the trees or other vegetation to be trimmed or removed if, in addition, the applicant pays to the department an amount equal to the amount of the difference between the value of the landscaping to be either provided or paid for by the applicant and the department's appraised value of the trees or other vegetation to be trimmed or removed.

~~(2)(A)(i) No trees or vegetation shall be trimmed or removed under this Code section other than within a viewing zone.~~

~~(ii) No removal of any hardwood tree having a diameter outside bark of more than 8 inches at a height of 6 inches above ground level or any historic or endangered species tree or any tree planted as part of any local, state, or federal government project shall be permitted under this Code section.~~

~~(iii) All hardwood trees having a diameter outside bark of 8 inches or less at a height of 6 inches above ground level may be removed from within a viewing zone.~~

~~(iv) All nonhardwood trees may be removed from within a viewing zone for a combined total of 250 feet horizontal distance parallel to the right of way.~~

~~(v) All nonhardwood trees having a diameter outside bark of less than 12 inches at a height of 6 inches above ground level may be removed from within a viewing zone.~~

~~(vi) Pine trees having a diameter outside bark of 12 inches or more at a height of 6 inches above ground level shall not be removed from a viewing zone in such numbers as to reduce stocking to less than the minimum standard for full stocking for such trees, as determined by the Georgia Forestry Commission, over an area having a combined total of not less than 250 feet horizontal distance parallel to the right of way.~~

~~(vii) The provisions of divisions (iv) and (vi) of this subparagraph notwithstanding, in the case of any outdoor advertising sign erected on or before April 20, 1998, and which is less than 35 feet in height as measured from the top of the sign to the ground directly beneath or to the road level, whichever distance results in the best view or the greatest elevation, or which is subsequently lowered to such a height, the horizontal distance of the area within the viewing zone from which all trees, other than hardwoods having a diameter outside the bark of more than 8 inches at a height of 6 inches above ground level, may be removed shall be increased to 350 feet.~~

(2) Any measurement of vegetation to be removed for valuation purposes shall be made at diameter breast height as shown in the section entitled 'Height of Measurement' in the *Guide for Plant Appraisal (9th Edition)* as published by the International Society of Arboriculture. Based on the substantial benefit to the state where dead or diseased trees are removed from the right of way, and the negligible value of dead or diseased trees, such vegetation shall not be measured or valued in determining the appraised value. Trees shall be only deemed dead or diseased if listed as such in the report of a certified forester or arborist, subject to review and approval by the department. Upon receipt of a properly completed application, the department shall, within 60 days, issue the permit for vegetation maintenance.

(3) The applicant shall be allowed to remove all trees and vegetation from the target view zone so long as the sign was permitted or assigned a working number by the department on or before December 31, 2010. Vegetation removal shall be prohibited in all areas of the viewing zone outside of the target view zone except that portions of vegetation, such as tree limbs, which extend into the target view zone from outside the target view zone may be trimmed as necessary to preserve the clear target view zone. The only vegetation which cannot be removed from the target view zone pursuant to this paragraph shall be landmark trees, historic trees, and specimen trees, as defined in subparagraphs (A) through (C) of this paragraph, and any tree planted as part of a permitted local, state, or federal government beautification project. After July 1,

2011, however, no beautification project in this state shall include the planting of trees in the right of way within 500 feet of an outdoor advertising sign such that the visibility of a permitted outdoor advertising sign is obscured or could later be obscured by the growth of such vegetation.

(A) For purposes of this paragraph, the term 'historic tree' means a tree or group of trees that are reasonably determined by the department to be:

- (i) Identified by a unit of government to recognize an individual or group;
- (ii) Located at the site of a historic event and significantly impact an individual's perception of the event;
- (iii) Dated to the time of a historic event at the location of the tree, as identified by a unit of government; or
- (iv) Confirmed as the progeny of a tree that meets any of the criteria contained in this division.

(B) For purposes of this paragraph, the term 'landmark tree' means a tree or group of trees that:

- (i) Have been planted and maintained for educational purposes for more than 75 years;
- (ii) Were planted as a memorial to an individual, group, event, or cause and are more than 75 years old; or
- (iii) Symbolize a historically significant individual, place, event, or contribution, as recognized by a unit of government prior to July 1, 2010.

(C) For purposes of this paragraph, the term 'specimen tree' means a hardwood tree or group of hardwood trees that is determined to be in excess of 75 years of age as determined by a registered forester or arborist.

~~(B)~~(D) Pruning or trimming of trees under a permit shall conform to industry standards as defined by the National Arborist Association, International Society of Arboriculture or ANSI A300 pruning standards as of January 1, ~~1999~~ 2011, or such later edition as may be adopted by rule or regulation of the department.

~~(3)~~(4) An applicant's record of conduct regarding disturbance of trees or other vegetation on state rights of way shall be considered by the department as part of the evaluation process for any permit or permit renewal application.

~~(4)~~(5) Prior to approving any permit application to remove allegedly diseased trees, the department shall verify that such trees are in fact diseased. Such determination shall be made by the department's landscape architect.

~~(5)~~(6) A performance bond in an amount adequate for the requirements of the permit as determined by the department shall be required of each permittee.

(f)(1) No trees or other vegetation on state rights of way shall be trimmed, killed, or removed by any person other than in accordance with a permit issued under this Code section by any person other than the department or an authorized agent or contractor thereof.

(2) No outdoor advertising sign to which a permit under this Code section is applicable shall be unused for advertising for a period of six consecutive months or more.

(3) On and after July 1, 1999, no outdoor advertising sign to which a permit under this Code section is applicable shall be maintained in such a condition of disrepair as to be unusable for advertising.

(4)(A) In cases where the department has reasonable cause to believe that a violation of this subsection has been committed by any person, the procedures provided under Code Section 32-6-95 shall apply the same as in cases wherein the department believes that a sign is being maintained in violation of this part.

(B) Following notice, hearing, and a finding that a person has committed a violation of paragraph (1) of this subsection, a civil fine of not less than \$10,000.00 nor more than \$20,000.00, and restitution in an amount equal to the appraised value of the trees or vegetation, or both, which were unlawfully trimmed or removed, shall be imposed on such person.

(C) Following notice, hearing, and a finding that a permittee under this Code section has committed a violation of paragraph (2) of this subsection, an order directing the removal of such unused sign, at the expense of the permittee, shall be issued.

(D) Following notice, hearing, and a finding that a permittee under this Code section has committed a violation of paragraph (3) of this subsection, an order directing the removal of such unusable sign shall be issued.

(E) The department or its authorized agents shall be authorized to enter upon private lands and disassemble and remove signs without civil or criminal liability therefor pursuant to an order issued in accordance with this paragraph and as provided by Code Section 32-6-96 for disassembly and removal of illegal outdoor advertising signs.

(g) In order to obtain a vegetation maintenance permit for signs which exceed 75 feet in height, as measured from the base of the sign or crown of the adjacent roadway to which the sign is permitted, whichever is higher, the owner of the sign shall agree to reduce the sign to 75 feet in height or less, as measured from the base of the sign or crown of the adjacent roadway to which the sign is permitted, whichever is higher, unless lowering is precluded by local government code or regulation. Work to lower the sign shall be concluded within 60 days of completion of the vegetation removal. If the terms of the work plan are not complied with and all work satisfactorily completed within the allowed time, the performance bond shall be forfeited, and the department shall be authorized to collect the bond and lower the sign. Upon completion of any project which reduces sign height by use of a new support mechanism, such as a new pole, the sign owner shall provide the department with a written footer inspection from the applicable local government or a professional engineer prior to the release of the bond.

(h) The department shall have the right to refuse to issue any vegetation permits to any person, firm, or entity which the department determines is maintaining or is allowing to be maintained any abandoned sign or signs, until all such abandoned signs are removed or brought into compliance with the provisions of this Code section. For purposes of this subsection, the term 'abandoned sign' means any sign adjacent to a state-controlled

route that has not contained a message for six consecutive months and which has not had a message displayed within 30 days after receipt of notice by certified mail from the department. The addition of a 'for rent' panel or a phone number shall not qualify as a message for purposes of this subsection, but self promotional copy covering at least one entire sign face or advertising copy benefitting charitable, nonprofit, religious, or other noncommercial groups shall qualify as a message.

(i) The department shall have the right to refuse to issue any vegetation permits to any person, firm, or entity which the department determines is maintaining or is allowing to be maintained in their inventory of signs in this state any sign which depicts any material which is obscene as such term is defined in Code Section 16-12-80, or material that is in conflict with the applicable local government's obscenity ordinance.

(j) The removal of signs with lapsed outdoor advertising permits is of benefit to this state but is often too costly for the department to undertake. In order to encourage the removal of such signs and permitted signs that do not conform to the state's current requirements for outdoor advertising signs without the expenditure of state funds, a credit which may be used as an offset toward the total appraised value of the vegetation to be removed in accordance with a vegetation maintenance permit shall be awarded for each qualifying sign removal as follows:

(1) On or before March 1, 2012, the department shall prepare a list of signs which once held a valid outdoor advertising permit but for which the permit has been allowed to lapse. Notification of a sign's inclusion on such list shall be sent to the last known address for the sign's owner as listed on department records and to any other person or entity which the department reasonably finds to have an interest in such sign. Within 30 days of receipt of such notice or 60 days of publication of the list, whichever comes later, any person or entity claiming to be the owner of a sign that they do not believe has been properly included on the list shall be allowed to submit written notice to the department of their objection. Such objection may include a statement of the relevant facts and any supporting documents. On or before July 1, 2012, the department shall publish the final list. Signs which are the subject of any current objections, administrative appeals, or legal disputes shall not be included on such list. This list shall be updated annually and provided to the chairpersons of the House and Senate Transportation Committees on or before the first day of March;

(2) The department shall, on or before January 1, 2012, prepare a schedule or formula to determine the credit to be received for the removal of lapsed-permit signs and permitted nonconforming outdoor advertising signs. Such schedule shall provide a valuation of the credit based on four factors: material used in sign structure, height of sign, size of sign, and terrain and topography. The department shall also prepare a form to be submitted by any person or entity seeking a credit under this subsection. Such form shall require a description of the material used in the sign structure, the height of the sign, the size of the sign, and the terrain and topography where the sign is situated and a calculation of the anticipated credit in accordance with the department's schedule or formula;

(3) At such time as any lapsed-permit sign from the department's updated list or a nonconforming outdoor advertising sign is removed, the person or entity responsible for such removal shall submit to the department the completed removal form and photographic evidence of the removal. For purposes of this subsection, the term 'removal' means removal of all structural elements above ground level; removal of footers or foundation elements shall not be required. Within 60 days of such submission, the department shall certify and return the form. No credit shall be allowed for the removal of a lapsed-permit sign by the owner of such sign. The certified form shall serve as a credit voucher. Credit vouchers may be transferred to another party via notarized statement signed by both parties;

(4) Where a lapsed-permit sign from the department's updated list or a nonconforming sign is to be removed in conjunction with a specific application for a vegetation maintenance permit, the sign to be removed shall be designated by department permit number. If the vegetation permit is approved, then the sign designated for removal shall be removed at least 15 days prior to initiation of work pursuant to the vegetation permit. Removal shall be deemed complete when the removal form and photographic evidence of the removal are submitted to the department. The sign designated for removal need not be owned by the vegetation permit applicant. As such, nothing herein shall be interpreted to require that the removed sign be owned or controlled by the vegetation permit applicant. All work hereunder shall be performed by licensed and bonded entities or individuals, where required by law, and the department shall not be liable for the actions of any nondepartment personnel; and

(5) A credit voucher may be used by an applicant for a vegetation maintenance permit as an offset against the total appraised value of the vegetation to be removed on a dollar-for-dollar basis, except that the total payment shall not be reduced below \$4,000.00. Any unused portion of a credit voucher may be used in conjunction with a subsequent vegetation maintenance application.

(k) Nothing contained in this Code section shall render any sign existing on July 1, 2011, nonconforming. Nothing in this Code section shall supersede any applicable local rules or ordinances. The department shall not deny an applicant a vegetation maintenance permit for complying with applicable local rules or ordinances."

SECTION 3.

In the event any section, subsection, sentence, clause, or phrase of this Act shall be declared or adjudged invalid or unconstitutional, such declaration or adjudication shall affect and invalidate the whole of the smallest section or subsection in which such matter appears herein, but shall in no manner affect the other sections, subsections, sentences, clauses, or phrases of this Act, which shall remain of full force and effect as if the section, subsection, sentence, clause, or phrase so declared or adjudged invalid or unconstitutional were not originally a part hereof. The General Assembly declares that it would have passed the remaining parts of this Act if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional, but would not have

passed any section of this Act containing or constituting an invalid or unconstitutional provision.

SECTION 4.

The Department of Transportation shall have 120 days from the effective date to promulgate any forms or policies necessary to implement this Act. Those applications submitted before any necessary forms and policies are in place shall be processed in accordance with the regulations in place prior to the effective date. Those holding vegetation maintenance permits or renewals issued at any time prior to the promulgation of the necessary forms and policies shall, upon written request to the department, be able to trim or remove vegetation in accordance with the terms of this Act.

SECTION 5.

This Act shall become effective on July 1, 2011.

SECTION 6.

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

The following amendment was read:

Representatives Burns of the 157th and Roberts of the 154th offer the following amendment:

Amend the substitute to HB 179 (LC 34 2906S) by deleting lines 52 through 64 and substituting in lieu thereof the following:

advertising permit fee and an annual renewal fee. On and after July 1, 2011, the outdoor advertising application fee shall be \$300.00, and the renewal fee for each sign shall be \$85.00. The department may adjust future application and renewal fees through the formal rule making process so long as notice of any proposed increase is sent to the House and Senate Transportation Committees at least 30 days prior to final adoption by the department. Such fees shall be limited to amounts sufficient to offset the administrative costs to the department. An annual report on the expenditures and revenues of the department related to the outdoor advertising program shall be sent to the House and Senate Transportation Committees no later than October 31 of each year. Upon receipt of a properly

Pursuant to Rule 133, Representative Cheokas of the 134th was excused from voting on HB 179.

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

E Abdul-Salaam	Y Davis	Y Heckstall	Y Mayo	Y Setzler
Y Abrams	Y Dawkins-Haigler	Y Hembree	Y McBrayer	Y Shaw
Y Allison	Y Dempsey	Y Henson	Y McCall	Y Sheldon
Y Amerson	Y Dickerson	Y Hill	Y McKillip	Y Sims, B
Y Anderson	Y Dickey	Y Holcomb	Meadows	Y Sims, C
Y Ashe	Y Dickson	Y Holmes	Y Mills	Y Smith, E
Y Atwood	Y Dobbs	Y Holt	Y Mitchell	Y Smith, K
Y Austin	Y Dollar	N 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
N Beasley-Teague	Y Dutton	Y Hudson	Y Neal, J	Spencer
Y Bell	Y Ehrhart	Y Hugley	N 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	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	N Fullerton	Y Jordan	Y Peake	Y Thomas
Y Burns	Y Gardner	Y Kaiser	Y Powell, A	N Tinubu
Y Byrd	Y Geisinger	N 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
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	E Willard
Y Coleman	Y Harden, B	Y Maddox, B	Y Riley	Y Williams, A
Y 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 Hatcher	E Marin	Y Rynders	Y Williamson
Y Cooper	E Hatfield	Y Martin	Y Scott, M	Y Yates
Y Crawford	Y Heard	Y Maxwell	N Scott, S	Ralston, Speaker

On the adoption of the amendment, the ayes were 160, nays 8.

The amendment was adopted.

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:

E Abdul-Salaam	Y Davis	Y Heckstall	Y Mayo	N Setzler
N Abrams	Y Dawkins-Haigler	Y Hembree	Y McBrayer	Y Shaw
N Allison	N Dempsey	N Henson	Y McCall	Y Sheldon

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

On the passage of the Bill, by substitute, as amended, the ayes were 98, nays 69.

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

Representatives Spencer of the 180th and Stephens of the 164th 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.

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

February 24, ad 2011

Dear Mr. Clerk,

Article III, Section I, Paragraph I, of the Constitution of the State of Georgia, provides that "The legislative power of the state shall be vested in a General Assembly which shall consist of a Senate and a House of Representatives." 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 179 unconstitutionally delegates that legislative power to the executive branch. As such, I was unable to vote in favor of it.

Respectfully,

/s/ Bobby Franklin

Representative Thomas of the 100th gave notice that at the proper time he would move that the House reconsider its action in giving the requisite constitutional majority to HB 179.

By unanimous consent, the following Bill of the House, having been previously postponed, was again 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.

Representative Benton of the 31st moved that the following Bill of the House be withdrawn from the Rules Calendar and recommitted to the Committee on Rules:

HB 126. By Representatives Benton of the 31st, Dutton of the 166th, Cooke of the 18th, Harden of the 28th, Allison of the 8th and others:

A BILL to be entitled an Act to amend Chapter 4 of Title 1 of the Official Code of Georgia Annotated, relating to holidays and observances, so as to

designate the nineteenth day of April in each year as "Patriots Day" in Georgia; to provide for related matters; to repeal conflicting laws; and for other purposes.

The motion prevailed.

The following Resolution of the House was read and referred to the Committee on Rules:

HR 409. By Representatives Drenner of the 86th, Braddock of the 19th, Sims of the 119th, Tinubu of the 60th, Carter of the 175th and others:

A RESOLUTION commending the extraordinary contributions of women entrepreneurs, recognizing March 15, 2011, as Women Entrepreneurs Day at the state capitol, and inviting Ms. Felicia Joy of Ms. CEO. Inc., to be recognized by the House of Representatives; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 410. By Representatives Byrd of the 20th, Hill of the 21st and Jerguson of the 22nd:

A RESOLUTION recognizing and commending Jenny Beth Martin, outstanding Georgia citizen; and for other purposes.

HR 411. By Representatives Parent of the 81st, Jacobs of the 80th, Taylor of the 79th, Holcomb of the 82nd and Mosby of the 90th:

A RESOLUTION congratulating Chamblee Middle School on winning the 2011 PAGE Academic Bowl for Middle Grades State Finals; and for other purposes.

HR 412. By Representatives Benton of the 31st and McCall of the 30th:

A RESOLUTION recognizing the history of Benton Elementary/High School; and for other purposes.

HR 413. By Representatives Gardner of the 57th, Kaiser of the 59th, Crawford of the 16th, Morgan of the 39th, Ashe of the 56th and others:

A RESOLUTION commending the American Red Cross and proclaiming March, 2011, American Red Cross Month in Georgia; and for other purposes.

HR 414. By Representative Jones of the 44th:

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 415. By Representative Stephens of the 164th:

A RESOLUTION recognizing and commending Mr. Thomas David Petite; and for other purposes.

HR 416. By Representatives Dudgeon of the 24th and Coleman of the 97th:

A RESOLUTION recognizing and commending Nicholas Royal; and for other purposes.

HR 417. By Representative Wilkinson of the 52nd:

A RESOLUTION recognizing the Building Owners and Managers Association-Atlanta and declaring February 28, 2011, as BOMA Day at the Capitol; and for other purposes.

HR 418. By Representatives Scott of the 76th, Jordan of the 77th, Neal of the 75th, Abdul-Salaam of the 74th and Tinubu of the 60th:

A RESOLUTION recognizing and commending Reverend André Landers on the occasion of his 10th pastoral anniversary; and for other purposes.

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 Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 186 Do Pass, by Substitute

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

Representative Hamilton of the 23rd District, Chairman of the Committee on Governmental Affairs, submitted the following report:

Mr. Speaker:

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

HR 153 Do Pass, by Substitute

Respectfully submitted,
/s/ Hamilton of the 23rd
Chairman

Representative Smith of the 131st District, Chairman of the Committee on Insurance, submitted the following report:

Mr. Speaker:

Your Committee on Insurance 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 47	Do Pass	HB 66	Do Pass, by Substitute
HB 156	Do Pass	HB 167	Do Pass, by Substitute
HB 189	Do Pass, by Substitute	HB 248	Do Pass
HB 347	Do Pass		

Respectfully submitted,
/s/ Smith of the 131st
Chairman

Representative Jacobs of the 80th District, Vice-Chairman of the Committee on Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on Judiciary 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 198 Do Pass, by Substitute

Respectfully submitted,
/s/ Jacobs of the 80th
Vice-Chairman

Representative Channell of the 116th District, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. Speaker:

Your Committee on Ways and Means 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 48 Do Pass

Respectfully submitted,
/s/ Channell of the 116th
Chairman

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

Mr. Speaker:

The Senate has passed by substitute, by the requisite constitutional majority, the following bill of the House:

HB 77. By Representatives Ralston of the 7th, Jones of the 46th, O`Neal of the 146th, England of the 108th, Collins of the 27th and others:

A BILL to amend an Act providing appropriations for the State Fiscal Year beginning July 1, 2010, and ending June 30, 2011, known as the "General Appropriations Act," approved June 4, 2010, as House Bill 948, Act. No. 684 (Ga. L. 2010, Vol. I, Book II).

The Senate has adopted by the requisite constitutional majority the following resolution of the House:

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

A RESOLUTION relative to adjournment; and for other purposes.

Representative O'Neal of the 146th moved that the House stand in recess until 6:00 o'clock, P.M., at which time the House will stand adjourned until 1:00 o'clock, P.M. Monday, February 28, 2011.

The Speaker announced the House in recess until 6:00 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 1:00 o'clock, P.M. Monday, February 28, 2011.