

Representative Hall, Atlanta, Georgia

Tuesday, February 1, 2011

Eighth 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:

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

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

Representatives Benfield of the 85th, Brooks of the 63rd, Bruce of the 64th, Bryant of the 160th, Carter of the 175th, Casas of the 103rd, Dickson of the 6th, Fludd of the 66th, Mills of the 25th, Morris of the 155th, Mosby of the 90th, Randall of the 138th, Sims of

the 169th, Stephenson of the 92nd, Tinubu of the 60th, Walker of the 107th, and Williams of the 4th.

They wished to be recorded as present.

Prayer was offered by Reverend James Kendrick, East Friendship Baptist Church, Athens, 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.

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

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

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

Referred to the Committee on Intragovernmental Coordination - Local.

- HB 109. By Representatives Hamilton of the 23rd, Amerson of the 9th, Peake of the 137th, Hembree of the 67th and Jerguson of the 22nd:

A BILL to be entitled an Act to amend Article 4 of Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to conduct of public officials and lobbyist disclosure, so as to provide a definition; to provide that public employees shall not use government owned or leased computers or telecommunications devices to promote or oppose the passage of any legislation by the General Assembly or to promote or oppose the approval or veto of any legislation by the Governor; to provide for certain exceptions; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

- HB 110. By Representatives Jacobs of the 80th, Willard of the 49th, Lindsey of the 54th, Powell of the 171st, Welch of the 110th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 14 of Title 44 of the Official Code of Georgia Annotated, relating generally to mortgages, conveyances to secure debt, and liens, so as to provide for a vacant property registry; to provide for a definition; to provide for required elements of a form for such registration; to provide for exemptions and maximum fees for such registration and for removal from the registry; 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.

- HB 111. By Representatives Buckner of the 130th, Smith of the 131st, Smyre of the 132nd, Smith of the 129th and Hugley of the 133rd:

A BILL to be entitled an Act to amend Article 8 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to comprehensive state-wide water management planning, so as to change certain provisions relating to a policy statement for comprehensive state-wide water management planning, guiding principles, and requirements of plans; to regulate interbasin and intrabasin transfers of water; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources & Environment.

- HB 112. By Representatives Powell of the 29th, Rice of the 51st, Battles of the 15th and Harden of the 28th:

A BILL to be entitled an Act to amend Title 40 of the O.C.G.A., relating to motor vehicles and traffic, so as to ensure that the financial responsibility of motor carriers in this state is compatible with federal motor carrier safety regulations; to change certain equipment requirements for the lighting equipment and warning flags for protruding loads, brake performance, ability, rear view mirrors, window tinting, and tire tread depth on commercial motor vehicles to make them compatible with federal motor carrier safety regulations; to amend Title 46 of the O.C.G.A., relating to public utilities and public transportation, to clarify the applicability of safety regulations to vehicles operated within corporate limits of a city; to provide for related matters; to repeal conflicting laws; to provide for an effective date; and for other purposes.

Referred to the Committee on Motor Vehicles.

HB 113. By Representatives Powell of the 29th, Rice of the 51st, Battles of the 15th and Harden of the 28th:

A BILL to be entitled an Act to amend Article 1 of Chapter 11 of Title 40 of the Official Code of Georgia Annotated, relating to abandoned motor vehicles generally, so as to provide for changed definitions; to change provisions relating to contents of abandoned vehicles; to provide for related matters; to provide for an effective date; to repeal conflicting provisions; and for other purposes.

Referred to the Committee on Motor Vehicles.

HB 114. By Representatives Powell of the 29th, Rice of the 51st, Battles of the 15th and Harden of the 28th:

A BILL to be entitled an Act to amend Code Section 40-11-5 of the Official Code of Georgia Annotated, relating to lien foreclosures on abandoned motor vehicles, so as to set the fee for filing an affidavit; 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 115. By Representatives Parsons of the 42nd, Dollar of the 45th, Manning of the 32nd and Clark of the 104th:

A BILL to be entitled an Act to amend Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use taxes, so as to provide

for the determination of proper addresses using ZIP Codes of nine digits; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 116. By Representatives Parsons of the 42nd, Geisinger of the 48th, Baker of the 78th, Williams of the 89th and Rogers of the 26th:

A BILL to be entitled an Act to amend Code Section 46-2-28 of the Official Code of Georgia Annotated, relating to the procedure for issuance of stocks, bonds, notes, or other debt by companies under the Public Service Commission's jurisdiction, so as to provide for exemption from those procedures under certain circumstances; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Energy, Utilities & Telecommunications.

HB 117. By Representative Crawford of the 16th:

A BILL to be entitled an Act to amend Code Section 48-7-128 of the Official Code of Georgia Annotated, relating to withholding tax on sale or transfer of real property and associated tangible personal property by nonresidents, so as to provide that the person listed on the closing statement as the seller shall be treated as the seller and shall be subject to the withholding and documentation requirements; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 118. By Representative Knight of the 126th:

A BILL to be entitled an Act to amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, so as to change certain definitions regarding such taxation; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 119. By Representative Knight of the 126th:

A BILL to be entitled an Act to amend Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use taxes, so as to change certain definitions regarding such taxes; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 120. By Representative Knight of the 126th:

A BILL to be entitled an Act to amend Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to income taxes, so as to change certain definitions regarding such taxes; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 121. By Representative McKillip of the 115th:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to prohibit the use of discretionary clauses in health and disability insurance contracts; to provide a short title; to provide for definitions; to provide for related matters; to provide for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

HR 9. By Representatives Bruce of the 64th, Hembree of the 67th, Brooks of the 63rd, Bearden of the 68th, Fludd of the 66th and others:

A RESOLUTION creating the Joint Teen Violence Study Committee; and for other purposes.

Referred to the Committee on Children & Youth.

HR 11. By Representatives Allison of the 8th, Harden of the 28th, Hatfield of the 177th, Brockway of the 101st, Dudgeon of the 24th and others:

A RESOLUTION proposing an amendment to the Constitution so as to provide for the prioritized expenditure of excess state revenues, including income tax relief, in the event of a budget surplus; to provide for a short title;

to provide for definitions; to provide for limitations on appropriations from the Revenue Shortfall Reserve; to provide for the authority of the General Assembly with respect to the foregoing; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Budget and Fiscal Affairs Oversight.

HR 82. By Representatives Peake of the 137th, Epps of the 140th, Lucas of the 139th, Holmes of the 125th, Roberts of the 154th and others:

A RESOLUTION honoring the accomplishments of Coach Billy Henderson and dedicating an interchange in his honor; and for other purposes.

Referred to the Committee on Transportation.

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

HB 90	HB 91
HB 92	HB 93
HB 94	HB 95
HB 96	HB 97
HB 98	HB 99
HB 100	HB 101
HB 102	HB 103
HB 104	HB 105
HB 106	HB 107
HR 71	HR 72
HR 81	

Representative Bearden of the 68th District, Chairman of the Committee on Public Safety and Homeland Security, submitted the following report:

Mr. Speaker:

Your Committee on Public Safety and Homeland Security 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 107 Do Pass

Respectfully submitted,
/s/ Bearden of the 68th
Chairman

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

Representatives Roberts of the 154th, Brockway of the 101st, Dudgeon of the 24th, Bearden of the 68th, Tankersley of the 158th, Burns of the 157th, Parrish of the 156th, Smith of the 122nd, Parent of the 81st, Amerson of the 9th, Meadows of the 5th, Mayo of the 91st, Williams of the 165th, Powell of the 29th, McCall of the 30th, and Welch of the 110th.

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

HR 107. By Representatives Wilkinson of the 52nd, Smyre of the 132nd, Lucas of the 139th, Hanner of the 148th, Brooks of the 63rd and others:

A RESOLUTION recognizing Mr. James G. Ledbetter on the occasion of his retirement and inviting him to be recognized by the House of Representatives; and for other purposes.

HR 108. By Representatives Roberts of the 154th, Ralston of the 7th, O'Neal of the 146th, Houston of the 170th, McCall of the 30th and others:

A RESOLUTION commending Dr. Arthur Leroy Dorminy as the Distinguished Older Georgian for 2011 and inviting him to be recognized by the House of Representatives; and for other purposes.

HR 109. By Representatives Smith of the 131st, Huckaby of the 113th, Greene of the 149th, Jaspere of the 12th, Maddox of the 172nd and others:

A RESOLUTION recognizing and commending all 4-H Clubs of Georgia and inviting Mr. LaVonte Lovette, Mr. Arch D. Smith, and the 2010-11 4-H leadership team to appear before the House of Representatives; and for other purposes.

HR 110. By Representative Holmes of the 125th:

A RESOLUTION commending the Piedmont Academy Cougars Football Team on winning the GISA Class AA State Championship and inviting them to be recognized by the House of Representatives; and for other purposes.

HR 111. By Representative Holmes of the 125th:

A RESOLUTION recognizing and commending the Jones County Lady Hounds softball team on winning the Class AAAA State Championship and

inviting them to appear before the House of Representatives; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 96. By Representatives Ralston of the 7th, Ramsey of the 72nd, Bearden of the 68th and Powell of the 171st:

A RESOLUTION honoring the life and memory of Trooper Chadwick LeCroy; and for other purposes.

HR 97. By Representatives England of the 108th, Benton of the 31st, Martin of the 47th and Cooper of the 41st:

A RESOLUTION commending Kenneth Fern, Jr.; and for other purposes.

HR 98. By Representative Powell of the 29th:

A RESOLUTION honoring the life and memory of Lieutenant Raleigh Durrett; and for other purposes.

HR 99. By Representatives Ralston of the 7th, McKillip of the 115th, Channell of the 116th and Heard of the 114th:

A RESOLUTION recognizing and commending Mr. Daniel Hamilton Magill; and for other purposes.

HR 100. By Representative Powell of the 29th:

A RESOLUTION honoring the life and memory of Mr. Robert C. Dunning, Sr.; and for other purposes.

HR 101. By Representatives Powell of the 29th, Channell of the 116th, Parrish of the 156th, Kidd of the 141st and Bearden of the 68th:

A RESOLUTION commending the Georgia Rural Health Association and recognizing February 16, 2011, as Rural Health Day at the State Capitol; and for other purposes.

HR 102. By Representative Hudson of the 124th:

A RESOLUTION recognizing and commending Coach Luther Welsh; and for other purposes.

HR 103. By Representatives Ralston of the 7th and Hill of the 21st:

A RESOLUTION recognizing and commending Mr. Paul Weatherby on his outstanding public service; and for other purposes.

HR 104. By Representatives Martin of the 47th, Jones of the 46th, Yates of the 73rd, Geisinger of the 48th and Riley of the 50th:

A RESOLUTION recognizing and commending Mr. Lorenzo T. Suarez II; and for other purposes.

HR 105. By Representative Powell of the 29th:

A RESOLUTION honoring the life and memory of Mr. Bill H. LeCroy; and for other purposes.

HR 106. By Representatives Lucas of the 139th, Randall of the 138th, Epps of the 140th and Jordan of the 77th:

A RESOLUTION honoring the life and memory of Mr. Albert Billingslea; and for other purposes.

The Speaker Pro Tem assumed the Chair.

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 Pro Tem announced the House adjourned until 10:00 o'clock, tomorrow morning.