

Representative Hall, Atlanta, Georgia

Wednesday, February 1, 2012

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

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

Representatives Cooke of the 18th, Crawford of the 16th, Floyd of the 99th, Heckstall of the 62nd, Houston of the 170th, Jordan of the 77th, Long of the 61st, Mayo of the 91st, McCall of the 30th, Meadows of the 5th, Morgan of the 39th, Mosby of the 90th, Neal of

the 75th, Riley of the 50th, Roberts of the 154th, Sims of the 169th, Thomas of the 100th, Weldon of the 3rd, and Wilkinson of the 52nd.

They wished to be recorded as present.

Prayer was offered by Reverend Bill Bolling, Founder and Executive Director, Atlanta Community Food Bank, Atlanta, 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 Resolution of the House were introduced, read the first time and referred to the Committees:

HB 669. By Representatives Clark of the 98th, Allison of the 8th, Ramsey of the 72nd, Welch of the 110th, Cooke of the 18th and others:

A BILL to be entitled an Act to amend Chapter 4 of Title 50 of the Official Code of Georgia Annotated, relating to the organization of the executive branch generally, so as to require the reporting of federal funds received by certain state agencies; to provide for definitions; to provide for contingency

plans in the event of a reduction in federal funds; to provide for submittal of a report to legislative appropriations committees; to provide for legislative recommendations; to provide for legislative study regarding reporting by schools and postsecondary institutions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 677. By Representatives Holcomb of the 82nd, Thomas of the 100th, Taylor of the 55th, Parent of the 81st, Buckner of the 130th and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 28 of the Official Code of Georgia Annotated, relating to general provisions for members of the General Assembly, so as to require mandatory drug testing for members of the General Assembly; to provide for legislative intent; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 846. By Representatives Knight of the 126th and Peake of the 137th:

A BILL to be entitled an Act to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to change various administrative and procedural requirements of the Department of Revenue; to provide procedures with respect to the publication of letter rulings; to define the term "ruling"; to substantially modernize the provisions governing the commissioner's levy and sale of personal property; to authorize the commissioner to electronically store, retrieve, and transmit tax executions; to provide that the executions so stored are treated as originals for all purposes; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 847. By Representatives Maddox of the 172nd and Taylor of the 173rd:

A BILL to be entitled an Act to amend an Act creating a board of commissioners for the County of Grady, approved December 22, 1937 (Ga. L. 1937-38, Ex. Sess. p. 837), as amended, particularly by an Act approved July 20, 2001 (Ga. L. 2001, Ex. Sess. p. 654), so as to reconstitute the board of commissioners; to change the description of the commissioner districts; to provide for definitions and inclusions; to provide for continuation

in office of current members; to provide for election and terms of office of subsequent members; to provide for submission of this Act for preclearance under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 848. By Representatives Dickson of the 6th, Williams of the 4th and Weldon of the 3rd:

A BILL to be entitled an Act to amend an Act shortening the terms of office and providing for the election of members of the Board of Education of Whitfield County, approved April 4, 1991 (Ga. L. 1991, p. 3638), as amended, particularly by an Act approved April 25, 2002 (Ga. L. 2002, p. 4301), so as to change the description of the education districts; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide for submission of this Act for approval under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 849. By Representatives Amerson of the 9th, Rogers of the 26th, Kidd of the 141st, Lindsey of the 54th, Stephens of the 164th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 4 of Title 3 of the Official Code of Georgia Annotated, relating to local authorization and regulations for manufacture, distribution, and package sales of distilled spirits, so as to provide that an election superintendent shall call and hold a referendum upon receipt of a resolution or ordinance from the governing authority of a municipality or county desiring to permit or prohibit the manufacture, sale, and distribution of distilled spirits in the political subdivision; to change certain provisions relating to procedure for election for the purpose of nullifying a previous election; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries.

HB 850. By Representatives Harrell of the 106th, Willard of the 49th, Oliver of the 83rd and Holcomb of the 82nd:

A BILL to be entitled an Act to amend Chapter 9 of Title 29 of the Official Code of Georgia Annotated, relating to court proceedings involving guardian and ward, so as to provide for criminal background checks for persons seeking to become a guardian or conservator; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 851. By Representatives Rice of the 51st, Powell of the 29th and Sheldon of the 105th:

A BILL to be entitled an Act to amend Code Section 48-6-73 of the Official Code of Georgia Annotated, relating to reports and distributions regarding the taxation of intangibles, so as to change certain requirements regarding the rates to be charged by collecting officers; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 852. By Representatives Rice of the 51st and Powell of the 29th:

A BILL to be entitled an Act to amend Code Section 10-1-791 of the Official Code of Georgia Annotated, relating to consumer fees to implement provisions of Article 28, relating to the "Georgia Lemon Law," and enforcement, so as to increase the fee to be collected by new motor vehicle dealers from the consumer for the sale or lease of a new motor vehicle; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Motor Vehicles.

HB 853. By Representatives Ehrhart of the 36th, McCall of the 30th, England of the 108th, Roberts of the 154th and Drenner of the 86th:

A BILL to be entitled an Act to amend Chapter 1 of Title 2 of the Official Code of Georgia Annotated, relating to general provisions relative to agriculture, so as to provide a short title; to preempt certain local ordinances relating to production of agricultural or farm products; to protect the right to grow food crops and raise small animals on private property so long as such

crops and animals or the products thereof are used for human consumption by the occupants, gardeners, or raisers and their households and not for commercial purposes; to define a term; to provide for effect on certain local authority and causes of action; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture & Consumer Affairs.

HB 854. By Representatives Hamilton of the 23rd, Jerguson of the 22nd, Hembree of the 67th, Amerson of the 9th, Powell of the 171st and others:

A BILL to be entitled an Act to amend Part 3 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, "The Small Business Assistance Act of 1975," so as to provide for changes to certain provisions relating to definitions relative to small business assistance; to change a short title; to revise provisions relating to the composition of the advisory council; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Special Committee on Small Business Development and Job Creation.

HB 855. By Representatives Hamilton of the 23rd, Parsons of the 42nd, Martin of the 47th, Horne of the 71st, Drenner of the 86th and others:

A BILL to be entitled an Act to amend Code Section 46-5-167, relating to the Universal Access Fund, so as to establish a limitation on the duration and amount of certain distributions to be made under the Universal Access Fund; to provide for legislative intent; to provide a short title; 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 856. By Representatives Scott of the 76th, Jordan of the 77th, Beasley-Teague of the 65th, Dawkins-Haigler of the 93rd and Stephenson of the 92nd:

A BILL to be entitled an Act to amend Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to students in elementary and secondary education, so as to provide for attendance with or observation of a student in a classroom situation by a parent or guardian for students who are chronic disciplinary problems or returning from expulsion or suspension; to provide for parent conferences when a student receives a failing grade on

two consecutive report cards in a subject or course; to provide for proceedings against a parent or guardian who fails to attend such conference; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HB 857. By Representatives Scott of the 76th, Jordan of the 77th, Beasley-Teague of the 65th, Dawkins-Haigler of the 93rd and Stephenson of the 92nd:

A BILL to be entitled an Act to amend Code Section 20-1A-10 of the O.C.G.A., relating to consultation by the Department of Early Care and Learning on early care and education programs and other matters, so as to permit day-care centers to have child safety alarms installed in vehicles they use to transport children; to require the owner or director of a day-care center to ensure proper maintenance and good working order of such child safety alarms; to provide definitions; to require day-care centers to post an inspection report near the entrance; to require the department to promulgate rules and procedures regulating the installation of child safety alarms in vehicles owned and operated by day-care centers; provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Human Relations & Aging.

HB 858. By Representatives Rogers of the 26th, Purcell of the 159th and Talton of the 145th:

A BILL to be entitled an Act to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to add certain persons to those authorized to receive motor vehicle registration records; to add certain persons to the list of persons authorized to receive motor vehicle certificate of title records; 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 859. By Representative Sims of the 169th:

A BILL to be entitled an Act to amend Code Section 20-2-73 of the Official Code of Georgia Annotated, relating to suspension and removal of local school board members under certain circumstances, so as to revise provisions relating to the Governor's authority upon a recommendation by the State Board of Education; to provide that hearings conducted by the State Board of

Education be open for public comment; to authorize the Governor to impose additional requirements on local school systems or schools which do not have full accreditation; 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 repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HB 860. By Representatives Carter of the 175th, Shaw of the 176th and Black of the 174th:

A BILL to be entitled an Act to amend an Act providing for the number of members and for the election of members of the Board of Education of Lowndes County, approved April 13, 1992 (Ga. L. 1992, p. 5827), as amended, particularly by an Act approved June 3, 2003 (Ga. L. 2003, p. 4340), so as to change the description of the educational districts; to provide for definitions and inclusions; to provide for the continuance in office of current members; to provide for submission of this Act for preclearance under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 861. By Representatives Harden of the 28th, Ramsey of the 72nd, Allison of the 8th, Dempsey of the 13th, McBrayer of the 153rd and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers, so as to require law enforcement agencies to report drug related arrests to the Department of Human Services; to amend Article 1 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to general provisions for public assistance, so as to require drug testing for applicants and recipients of state administered TANF benefits; to provide for legislative intent; to provide for related matters; to provide for severability; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 862. By Representatives Martin of the 47th and Sheldon of the 105th:

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 the imposition, rate, and computation of income taxes and exemptions, so as to broaden the types of

tax liability subject to offset by the qualified education tax credit; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 863. By Representatives Hatchett of the 143rd, Hamilton of the 23rd, Stephens of the 164th, Roberts of the 154th, Carter of the 175th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to state purchasing, so as to change certain provisions relating to purchases without competitive bidding, central bid registry, procurement cards, rules and regulations, applicability to emergency purchases, and the Purchasing Advisory Council; to change a short title; to change certain provisions relating to definitions relative to small business assistance; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Institutions & Property.

HR 1237. By Representatives Martin of the 47th, Meadows of the 5th, Sheldon of the 105th, Hill of the 21st, Roberts of the 154th and others:

A RESOLUTION urging the federal government to cease the collection of motor fuel taxes in Georgia; and for other purposes.

Referred to the Committee on Transportation.

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

HB 833	HB 834
HB 835	HB 836
HB 837	HB 838
HB 839	HB 840
HB 841	HB 842
HB 843	HB 844
HB 845	SB 117
SB 306	SB 317
SB 318	

Representative Yates of the 73rd District, Chairman of the Committee on Defense and Veterans Affairs, submitted the following report:

Mr. Speaker:

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

HB 535 Do Pass, by Substitute

Respectfully submitted,
/s/ Yates of the 73rd
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 Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 475 Do Pass, by Substitute

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

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

Mr. Speaker:

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

HB 763 Do Pass, by Substitute

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

Representative Lane of the 167th District, Chairman of the Committee on Legislative and Congressional Reapportionment, submitted the following report:

Mr. Speaker:

Your Committee on Legislative and Congressional Reapportionment 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 829 Do Pass, by Substitute

Respectfully submitted,
/s/ Lane of the 167th
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 1222 Do Pass

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 450 Do Pass

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

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

HOUSE RULES CALENDAR
WEDNESDAY, FEBRUARY 1, 2012

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 12th Legislative Day as enumerated below:

DEBATE CALENDAR

Open Rule

HB 542 Employees' Retirement System of Georgia; transfer service credit; provide (Substitute)(Ret-Powell-171st)

Modified Open Rule

None

Modified Structured Rule

HB 706 Elementary and secondary education; delete and clarify provisions (Substitute)(Ed-Dudgeon-24th)

Structured Rule

None

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

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

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

Mr. Speaker:

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

SB 136. By Senator Hamrick of the 30th:

A BILL to be entitled an Act to amend Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to specialized land transactions, so as to provide for transfer of control of a condominium association in certain

circumstances; to set out public policy concerning the standing of condominium associations to file suit; to provide for priority of certain liens against condominium property and against property subject to a property owners' association; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 300. By Senator Bulloch of the 11th:

A BILL to be entitled an Act to amend Code Section 26-2-21 of the Official Code of Georgia Annotated, relating to definitions relative to adulteration and misbranding of food, so as to exclude establishments selling sugar cane and sorghum syrup from the definition of "food sales establishment"; to require proper labeling of bottles containing sugar cane or sorghum syrup; to repeal conflicting laws; and for other purposes.

SB 301. By Senators Bulloch of the 11th, Tolleson of the 20th, Shafer of the 48th, Rogers of the 21st, Mullis of the 53rd and others:

A BILL to be entitled an Act to amend Part 1 of Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions regarding hunting, so as to authorize the use of silencers on hunting firearms under certain circumstances; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

SB 307. By Senators Ligon, Jr. of the 3rd, Carter of the 1st and Jackson of the 2nd:

A BILL to be entitled an Act to amend Code Section 27-2-23 of the Official Code of Georgia Annotated, relating to licenses, permits, tags, and stamp fees, so as to create a one-day salt-water shore fishing license; to provide for a fee; to repeal conflicting laws; and for other purposes.

SB 309. By Senators Jeffares of the 17th, Bulloch of the 11th, Heath of the 31st, Shafer of the 48th, Staton of the 18th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated, relating to hunting, trapping, or fishing licenses, permits, and stamps generally, so as to authorize issuance of special hunting privileges to persons with a terminal illness; to provide a short title; to provide a definition; to repeal conflicting laws; and for other purposes.

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

SB 136. By Senator Hamrick of the 30th:

A BILL to be entitled an Act to amend Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to specialized land transactions, so as to provide for transfer of control of a condominium association in certain circumstances; to set out public policy concerning the standing of condominium associations to file suit; to provide for priority of certain liens against condominium property and against property subject to a property owners' association; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 300. By Senator Bulloch of the 11th:

A BILL to be entitled an Act to amend Code Section 26-2-21 of the Official Code of Georgia Annotated, relating to definitions relative to adulteration and misbranding of food, so as to exclude establishments selling sugar cane and sorghum syrup from the definition of "food sales establishment"; to require proper labeling of bottles containing sugar cane or sorghum syrup; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture & Consumer Affairs.

SB 301. By Senators Bulloch of the 11th, Tolleson of the 20th, Shafer of the 48th, Rogers of the 21st, Mullis of the 53rd and others:

A BILL to be entitled an Act to amend Part 1 of Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions regarding hunting, so as to authorize the use of silencers on hunting firearms under certain circumstances; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

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

SB 307. By Senators Ligon, Jr. of the 3rd, Carter of the 1st and Jackson of the 2nd:

A BILL to be entitled an Act to amend Code Section 27-2-23 of the Official Code of Georgia Annotated, relating to licenses, permits, tags, and stamp fees, so as to create a one-day salt-water shore fishing license; to provide for a fee; to repeal conflicting laws; and for other purposes.

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

SB 309. By Senators Jeffares of the 17th, Bulloch of the 11th, Heath of the 31st, Shafer of the 48th, Staton of the 18th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated, relating to hunting, trapping, or fishing licenses, permits, and stamps generally, so as to authorize issuance of special hunting privileges to persons with a terminal illness; to provide a short title; to provide a definition; to repeal conflicting laws; and for other purposes.

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

Pursuant to HR 1222, the House commended Edwin Jackson and invited him to be recognized by the House of Representatives.

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

Representatives Williams of the 165th, Dudgeon of the 24th, Kidd of the 141st, Byrd of the 20th, Brockway of the 101st, Ramsey of the 72nd, and Fludd of the 66th.

The following Resolution of the House was read:

HR 1238. By Representative O`Neal of the 146th

A RESOLUTION

Relative to adjournment; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that, unless otherwise provided by subsequent resolution of the General Assembly, the meeting dates and dates of adjournment for the 2012 regular session of the General Assembly for the period of Friday, January 27, 2012, through Monday, March 12, 2012, shall be as follows:

Friday, January 27 through Sunday, January 29	in adjournment
Monday, January 30	in session for legislative day 10
Tuesday, January 31	in session for legislative day 11
Wednesday, February 1	in session for legislative day 12
Thursday, February 2	in session for legislative day 13
Friday, February 3	in session for legislative day 14
Saturday, February 4 and Sunday, February 5	in adjournment
Monday, February 6	in session for legislative day 15
Tuesday, February 7	in session for legislative day 16
Wednesday, February 8	in session for legislative day 17

Thursday, February 9in session for legislative day 18
 Friday, February 10 through Tuesday, February 14..... in adjournment
 Wednesday, February 15.....in session for legislative day 19
 Thursday, February 16in session for legislative day 20
 Friday, February 17in session for legislative day 21
 Saturday, February 18 through Monday, February 20 in adjournment
 Tuesday, February 21in session for legislative day 22
 Wednesday, February 22.....in session for legislative day 23
 Thursday, February 23in session for legislative day 24
 Friday, February 24in session for legislative day 25
 Saturday, February 25 and Sunday, February 26 in adjournment
 Monday, February 27in session for legislative day 26
 Tuesday, February 28in session for legislative day 27
 Wednesday, February 29.....in session for legislative day 28
 Thursday, March 1 through Sunday, March 4..... in adjournment
 Monday, March 5in session for legislative day 29
 Tuesday, March 6in adjournment
 Wednesday, March 7in session for legislative day 30
 Thursday, March 8 through Sunday, March 11..... in adjournment
 Monday, March 12in session for legislative day 31

BE IT FURTHER RESOLVED that on and after March 12, 2012, the periods of adjournment of the 2012 session, if any, shall be as specified by subsequent resolution of the General Assembly; provided that unless otherwise specified by subsequent resolution the General Assembly shall be in adjournment on each Saturday and Sunday.

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

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

E Abdul-Salaam	Y Davis	Heckstall	Y McBrayer	Y Shaw
Y Abrams	Y Dawkins-Haigler	Y Hembree	Y McCall	Y Sheldon
Y Allison	Y Dempsey	Y Henson	Y McKillip	Y Sims, B
Y Amerson	Y Dickerson	Y Hightower	Y Meadows	Sims, C
E Anderson	Y Dickey	Y Hill	Y Mitchell	Y Smith, E
Y Ashe	Y Dickson	Y Holcomb	Y Morgan	Y Smith, K
Y Atwood	Y Dobbs	Y Holmes	Y Morris	Y Smith, L
Y Baker	Y Dollar	Y Holt	Y Mosby	Y Smith, R
Y Battles	E Drenner	Y Horne	Y Murphy	Y Smith, T
E Beasley-Teague	Y Dudgeon	Y Houston	Y Neal, J	Y Smyre
Y Bell	Y Dukes	Y Howard	Neal, Y	Y Spencer
Y Benfield	Y Dunahoo	Y Hudson	Y Nimmer	Y Stephens, M
Y Benton	Y Dutton	Y Hugley	Y Nix	Y Stephens, R
Y Beverly	Y Ehrhart	E Jackson	Y Oliver	E Stephenson
Y Black	Y England	Y Jacobs	Y O'Neal	Y Talton
Y Braddock	Y Epps, C	Y James	Y Pak	Y Tankersley
Y Brockway	Y Epps, J	Y Jasperse	Y Parent	Y Taylor, D

Y Brooks	Y Evans	Y Jerguson	Y Parrish	E Taylor, R
Y Bruce	Floyd	Y Johnson	E Parsons	Y Taylor, T
Y Bryant	Y Fludd	Y Jones, J	Y Peake	E Teasley
Y Buckner	Y Frazier	Y Jones, S	Y Powell, A	Y Thomas
Y Burns	Y Fullerton	Y Jordan	Y Powell, J	VACANT
Y Byrd	Y Gardner	Y Kaiser	Y Pruett	Y Watson
Y Carson	Y Geisinger	Y Kendrick	Y Purcell	Y Welch
Y Carter	Y Golick	Y Kidd	Y Ramsey	Y Weldon
Y Casas	Y Gordon	Y Knight	Y Randall	Y Wilkerson
Y Channell	Y Greene	Y Lane	Y Reece	Y Wilkinson
Y Cheokas	E Hamilton	Y Lindsey	Y Rice	Y Willard
Y Clark, J	Y Hanner	Y Long	Y Riley	Y Williams, A
Y Clark, V	Y Harbin	Y Maddox, B	Y Roberts	Y Williams, C
Y Coleman	Y Harden, B	Y Maddox, G	Y Rogers, C	Y Williams, E
Y Collins	Y Harden, M	Y Manning	Y Rogers, T	Y Williams, R
Y Cooke	Y Harrell	Y Marin	Y Rynders	Y Williamson
Y Coomer	Y Hatchett	Y Martin	E Scott, M	Y Yates
Y Cooper	Y Hatfield	Y Maxwell	Y Scott, S	VACANT
Crawford	Y Heard	Y Mayo	Y Setzler	Ralston, Speaker

On the adoption of the Resolution, the ayes were 161, nays 0.

The Resolution was adopted.

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

HR 1222. By Representatives Hugley of the 133rd, Smith of the 131st, Smyre of the 132nd and Buckner of the 130th:

A RESOLUTION commending Edwin Jackson 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 542. By Representative Powell of the 171st:

A BILL to be entitled an Act to amend Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to service creditable toward retirement benefits under the Employees' Retirement System of Georgia, so as to provide for the transfer of service credit from the Georgia Judicial Retirement System to the Employees' Retirement System of Georgia; to provide for the transfer of funds; to provide for conditions and payment; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to service creditable toward retirement benefits under the Employees' Retirement System of Georgia, so as to provide for the transfer of service credit from the Georgia Judicial Retirement System to the Employees' Retirement System of Georgia; to provide for the transfer of funds; to provide for the payment for creditable service in the Employees' Retirement System of Georgia for prior service as a member of the Georgia Judicial Retirement System; to provide for conditions and payment; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to service creditable toward retirement benefits under the Employees' Retirement System of Georgia, is amended by revising Code Section 47-2-96, which is reserved, as follows:

"47-2-96. ~~Reserved.~~

(a) Any member of this retirement system who was previously an active member of the Georgia Judicial Retirement System and who has not withdrawn his or her employee contributions from such retirement system may elect to have all contributions made by or on behalf of such member transferred from such retirement system to this retirement system. Any such member shall notify the board of trustees of each retirement system not later than December 31, 2012.

(b) Upon receipt of the notice provided for in subsection (a) of this Code section, the Board of Trustees of the Georgia Judicial Retirement System shall transfer to the board of trustees of this retirement system all employer and employee contributions paid by or on behalf of the employee, together with regular interest thereon. The member is authorized, but not required, to pay such additional amount to the board of trustees as the member desires.

(c) If a member of this retirement system has withdrawn his or her employee contributions from the Georgia Judicial Retirement System, he or she may obtain creditable service in this retirement system as provided in subsection (d) of this Code section by paying to the board of trustees of this retirement system such amount as the member desires.

(d) Upon receipt of the funds provided for in subsection (b) or (c) of this Code section, the board of trustees of this retirement system shall credit the member with only the number of years of creditable service, not to exceed the actual years of prior service, as the amount so transferred or paid shall warrant without creating any accrued liability as

to this retirement system; provided, however, that no member shall be granted creditable service in excess of the service to which he or she was credited under the Georgia Judicial Retirement System."

SECTION 2.

This Act shall become effective on July 1, 2012, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2012, as required by subsection (a) of Code Section 47-20-50.

SECTION 3.

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

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

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

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

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

On the passage of the Bill, by substitute, the ayes were 160, nays 1.

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

HB 706. By Representatives Dudgeon of the 24th, Coleman of the 97th, England of the 108th, Kaiser of the 59th, Dickson of the 6th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to delete obsolete, unused, and unnecessary provisions; to clarify a provision relating to eligibility for enrollment; to eliminate a deadline for annual performance evaluations; to clarify the legal status of regional educational service agencies; to provide that declarations of intent and attendance records for home study programs are submitted to the Department of Education rather than local school systems; to revise provisions for purposes of conformity; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to delete obsolete, unused, and unnecessary provisions; to clarify a provision relating to eligibility for enrollment; to eliminate a deadline for annual performance evaluations; to clarify the legal status of regional educational service agencies; to provide that declarations of intent and attendance records for home study programs are submitted to the Department of Education rather than local school systems; to revise provisions for purposes of conformity; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, is amended by revising Code Section 20-2-5, relating to oaths of members of the State Board of Education, board meetings, and the chairperson, as follows:

"20-2-5.

The members of the State Board of Education shall take an oath of office for the faithful performance of their duties and the oath of allegiance to the federal and state Constitutions. ~~They shall meet at the state capital in the Department of Education or at such place in the capital as may be designated by the Governor for that purpose.~~ The state board shall meet quarterly in regular session at such time as it may by regulation provide and may hold additional meetings at the call of the chairperson, provided that upon the written request of a majority of the members of the state board, the State School Superintendent shall call a meeting at any time."

SECTION 2.

Said chapter is further amended by revising Code Section 20-2-5.2, relating to elections of chairperson and other officers of the State Board of Education, and the term, duties, and authority of the chairperson, as follows:

"20-2-5.2.

The State Board of Education shall elect a chairperson and such other officers it may deem appropriate. The term of the chairperson shall be fixed by the state board. The chairperson shall preside at meetings of the state board, set the agenda for the state board, and perform such other duties as required by the state board. ~~The chairperson is authorized, after a reasonable attempt at consultation with the State School Superintendent, to require any employee of the Department of Education to furnish information or perform functions for the state board.~~

SECTION 3.

Said chapter is further amended by revising Code Section 20-2-7, relating to where committee meetings of the State Board of Education may be held, as follows:

"20-2-7.

The members of the State Board of Education as a committee or any committee of the state board ~~when authorized by board action taken at a meeting held at the state capital in the Department of Education~~ may hold committee meetings anywhere within or outside this state when necessary to obtain information for future guidance of the state board; provided, however, that no action of the state board shall be of force and effect unless such action is taken at a regular or called meeting of the state board ~~held at the state capital in the Department of Education as provided by Code Section 20-2-5.~~

SECTION 4.

Said chapter is further amended by repealing and reserving Code Section 20-2-12, relating to educational television programs.

SECTION 5.

Said chapter is further amended by repealing and reserving Code Section 20-2-100, relating to substituting county school superintendent for county school commissioner.

SECTION 6.

Said chapter is further amended by revising Code Section 20-2-103, relating to the oath of the county school superintendent, as follows:

"20-2-103.

Before entering upon the discharge of his or her official duties, the ~~county~~ local school superintendent shall take and subscribe to the ~~same following~~ oath of office ~~required of the other officers of this state.:~~

STATE OF GEORGIA

COUNTY OF _____

I, _____, do solemnly swear or affirm that I will truly perform the duties of local school superintendent of the _____ School System to the best of my ability.

I do further swear or affirm:

- (1) That I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof;
- (2) That I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I am by the laws of the State of Georgia prohibited from holding;
- (3) That I am otherwise qualified to hold said office according to the Constitution and the laws of Georgia; and
- (4) That I will support the Constitution of the United States and of this state.

Signature of local school superintendent

Typed name of member of local school superintendent

Sworn and subscribed
before me this _____ day
of _____.
(SEAL)."

SECTION 7.

Said chapter is further amended by revising subsection (b) of Code Section 20-2-150, relating to eligibility for enrollment, as follows:

"(b) A child who was a legal resident of one or more other states or countries for a period of two years immediately prior to moving to this state and who was legally enrolled in a public kindergarten or first grade, or a kindergarten or first grade

accredited by a state or regional association or the equivalent thereof, shall be eligible for enrollment in the appropriate general or special education programs authorized in this part if such child will attain the age of five for kindergarten or six for first grade by December 31 and is otherwise qualified."

SECTION 8.

Said chapter is further amended in Code Section 20-2-168, relating to distribution of federal funds, combined purchase of supplies and equipment, minimum school year, summer school programs, and year-round operation, by repealing subsection (f), relating to the "Summer Opportunity Program."

SECTION 9.

Said chapter is further amended by revising subsection (d) of Code Section 20-2-210, relating to annual performance evaluations for school personnel, as follows:

"(d) The superintendent of each local school system shall identify an appropriately trained evaluator for each person employed by the local unit of administration for the purposes of completing an annual evaluation as required in subsections (a) and (b) of this Code section. ~~The evaluator shall be required to complete such annual evaluation for each certificated person prior to April 1 of each year.~~ The superintendent of each local school system shall be responsible for ensuring compliance with this Code section."

SECTION 10.

Said chapter is further amended by repealing and reserving Code Section 20-2-212.3, relating to increasing teachers' salaries in areas of shortage.

SECTION 11.

Said chapter is further amended by repealing and reserving Code Section 20-2-212.4, relating to an additional five percent increase in teacher salary based on student performance.

SECTION 12.

Said chapter is further amended by repealing and reserving Code Section 20-2-213, relating to career ladder programs.

SECTION 13.

Said chapter is further amended by repealing Code Section 20-2-231, relating to the Georgia Education Leadership Academy.

SECTION 14.

Said chapter is further amended by repealing Code Section 20-2-232, relating to staff development plans by local school systems.

SECTION 15.

Said chapter is further amended by revising Code Section 20-2-240, relating to the powers and duties of the State Board of Education, as follows:

"20-2-240.

(a) The State Board of Education shall adopt and prescribe all rules, regulations, and policies required by this article and such other rules, regulations, and policies as may be reasonably necessary or advisable for proper implementation, enforcement, and carrying out of this article and other public school laws and for assuring a more economical and efficient operation of the public schools of this state or any phase of public elementary and secondary education in this state. The state board shall establish and enforce standards for operation of all public elementary and secondary schools and local units of administration in this state so as to assure, to the greatest extent possible, equal and quality educational programs, curricula, offerings, opportunities, and facilities for all of Georgia's children and youth and for economy and efficiency in administration and operation of public schools and local school systems throughout the state. The state board shall have the power to perform all duties and to exercise all responsibilities vested in it by provisions of law for the improvement of public elementary and secondary education in this state, including actions designed to improve teacher and school effectiveness through research and demonstration projects. The state board shall have the power to take such actions as it deems necessary to ensure that the citizens have full awareness and knowledge relative to the costs, quality, and performance of the public elementary and secondary schools of this state. All rules, regulations, policies, and standards adopted or prescribed by the state board in carrying out this article and other school laws shall, if not in conflict therewith, have the full force and effect of law.

~~(b) The State Board of Education is authorized, after a reasonable attempt at consultation with the State School Superintendent, to organize and reorganize the Department of Education and the various offices, divisions, sections, and units thereof and to prescribe the duties, functions, and operations of each at such times and in such manner as the state board may deem necessary or desirable for the more economical or effective organization, administration, or functioning of the department."~~

SECTION 16.

Said chapter is further amended by repealing and reserving Code Section 20-2-251, relating to demonstration programs.

SECTION 17.

Said chapter is further amended by repealing and reserving Code Section 20-2-252, relating to electronic technology.

SECTION 18.

Said chapter is further amended by repealing and reserving Code Section 20-2-253, relating to achievement grants.

SECTION 19.

Said chapter is further amended by repealing and reserving Code Section 20-2-254, relating to educational research.

SECTION 20.

Said chapter is further amended by adding a new subsection to Code Section 20-2-270, relating to the establishment of a state-wide network of regional educational service agencies, to read as follows:

"(f) Regional educational service agencies are not state agencies but shall be considered local units of administration for purposes of this chapter."

SECTION 21.

Said chapter is further amended by revising subsection (b) of Code Section 20-2-281, relating to assessment of effectiveness of educational programs, as follows:

"(b) The nationally normed assessments provided for in subsection (a) of this Code section shall provide students and their parents with grade equivalencies and percentile ranks which result from the administration of such tests. Criterion-referenced tests and the high school graduation test provided for in subsection (a) of this Code section shall provide for results that reflect student achievement at the individual student, classroom, school, system, and state levels. The State Board of Education shall participate in the National Assessment of Educational Progress (NAEP) and may participate in any other tests that will allow benchmarking this state's performance against national or international performance. The results of such testing shall be provided to the Governor, the General Assembly, and the State Board of Education and shall be reported to the citizens of Georgia. Further, the state board shall adopt a school readiness assessment for students entering first grade and shall administer such assessment pursuant to paragraph (2) of subsection (b) of Code Section 20-2-151. One of the components in the awarding of salary supplements as part of a pay for performance or related plan pursuant to Code Section 20-2-213 or other Code sections under this article may be assessments of student achievement."

SECTION 22.

Said chapter is further amended by repealing Code Section 20-2-285.1, relating to provisions applicable to third-grade criterion-referenced reading assessment students.

SECTION 23.

Said chapter is further amended by repealing and reserving Code Section 20-2-303, relating to educational television.

SECTION 24.

Said chapter is further amended by repealing and reserving Code Section 20-2-312, relating to a state program for middle school children during nonschool hours.

SECTION 25.

Said chapter is further amended by revising Code Section 20-2-500, relating to promulgation of rules and regulations for contracts or purchases over \$100.00, purchases over \$100,000.00, and vendor preferences, as follows:

"20-2-500.

~~(a) The State Board of Education is authorized to promulgate rules and regulations to regulate contracts or purchases which involve the aggregate sum of \$100.00 or more for or on behalf of students of any public elementary or secondary school supported in whole or in part from public funds.~~

~~(b)(1) Such rules shall provide that such contracts for or purchases of supplies, materials, equipment, or agricultural products, including but not limited to school buses but not including instructional materials or beverages for immediate consumption, for public elementary and secondary schools supported in whole or in part from public funds shall give preference as far as may be reasonable and practicable to such supplies, materials, equipment, and agricultural products as may be manufactured or produced in this state. Such preference shall not sacrifice quality.~~

~~(2) Such rules shall provide that, in determining whether such a preference is reasonable in any case where the value of a contract for or purchase of such supplies, materials, equipment, or agricultural products exceeds \$100,000.00, the local school district shall consider, among other factors, information submitted by the bidder which may include the bidder's estimate of the multiplier effect on gross state domestic product and the effect on public revenues of the state and the effect on public revenues of political subdivisions resulting from acceptance of a bid or offer to sell Georgia manufactured or produced goods as opposed to out of state manufactured or produced goods. Any such estimates shall be in writing. No local school district shall divide a contract or purchase which exceeds \$100,000.00 for the purpose of avoiding the requirements of this paragraph.~~

~~(e)(a) Vendors resident in the State of Georgia are to be granted the same preference over vendors resident in another state in the same manner, on the same basis, and to the same extent that preference is granted in awarding bids for the same goods or services by such other state to vendors resident therein over vendors resident in the State of Georgia.~~

~~(d)(b) Nothing in this Code section shall negate the requirements of Code Section 50-5-73."~~

SECTION 26.

Said chapter is further amended by repealing and reserving Code Section 20-2-501, relating to the prohibition of contracts or purchases over \$100.00 which are not in compliance with rules and regulations.

SECTION 27.

Said chapter is further amended by repealing and reserving Code Section 20-2-502, relating to disciplining measures for violations of Code Section 20-2-501.

SECTION 28.

Said chapter is further amended by repealing and reserving Code Section 20-2-503, relating to the authority of local boards of education to purchase educational information, literature, and services.

SECTION 29.

Said chapter is further amended by repealing and reserving Article 15, relating to school census.

SECTION 30.

Said chapter is further amended by revising subsection (c) of Code Section 20-2-690, relating to requirements for private schools and home study programs, as follows:

"(c) Parents or guardians may teach their children at home in a home study program which meets the following requirements:

(1) The parent, parents, or guardian must submit within 30 days after the establishment of a home study program and by September 1 annually thereafter a declaration of intent to utilize a home study program to the Department of Education, in accordance with department guidelines ~~superintendent of schools of the local school district in which the home study program is located;~~

(2) The declaration shall include a list of the names and ages of the students who are enrolled in the home study program, the address where the home study program is located, and a statement of the 12 month period that is to be considered the school year for that home study program. Enrollment records and reports shall not be used for any purpose except providing necessary enrollment information, except with the permission of the parent or guardian of a child, pursuant to the subpoena of a court of competent jurisdiction, or for verification of attendance by the Department of Public Safety for the purposes set forth in subsection (a.1) of Code Section 40-5-22;

(3) Parents or guardians may teach only their own children in the home study program, provided the teaching parent or guardian possesses at least a high school diploma or a general educational development diploma, but the parents or guardians may employ a tutor who holds a high school diploma or a general educational development diploma to teach such children;

(4) The home study program shall provide a basic academic educational program which includes, but is not limited to, reading, language arts, mathematics, social studies, and science;

(5) The home study program must provide instruction each 12 months to home study students equivalent to 180 school days of education with each school day consisting of at least four and one-half school hours unless the child is physically unable to comply with the rule provided for in this paragraph;

(6) Attendance records for the home study program shall be kept and shall be submitted to the Department of Education, in accordance with department guidelines ~~at the end of each month to the school superintendent of the local school district in which the home study program is located.~~ Attendance records and reports shall not be

used for any purpose except providing necessary attendance information, except with the permission of the parent or guardian of a child, pursuant to the subpoena of a court of competent jurisdiction, or for verification of attendance by the Department of Public Safety for the purposes set forth in subsection (a.1) of Code Section 40-5-22;

(7) Students in home study programs shall be subject to an appropriate nationally standardized testing program administered in consultation with a person trained in the administration and interpretation of norm reference tests to evaluate their educational progress at least every three years beginning at the end of the third grade and records of such tests and scores shall be retained but shall not be required to be submitted to public educational authorities; and

(8) The home study program instructor shall write an annual progress assessment report which shall include the instructor's individualized assessment of the student's academic progress in each of the subject areas specified in paragraph (4) of this subsection, and such progress reports shall be retained by the parent, parents, or guardian of children in the home study program for a period of at least three years."

SECTION 31.

Said chapter is further amended by revising subsection (d) of Code Section 20-2-690.1, relating to mandatory education for children between ages six and 16, as follows:

"(d) Local school superintendents in the case of private schools, the Department of Education in the case of ~~or~~ home study programs, and visiting teachers and attendance officers in the case of public schools shall have authority and it shall be their duty to file proceedings in court to enforce this subpart."

SECTION 32.

Said chapter is further amended by revising Code Section 20-2-694, relating to administration and enforcement of compulsory attendance laws, as follows:

"20-2-694.

It shall be the duty of each county and independent school system board of education, ~~and each local school superintendent within the state, and the Department of Education~~ to administer this subpart and to secure its enforcement in cooperation with the other state and county agencies and in cooperation with the administrators of private schools and parents or guardians providing a home study program."

SECTION 33.

Said chapter is further amended by revising subsection (a) of Code Section 20-2-701, relating to local school superintendents or visiting teachers and attendance officers to report truants to juvenile or other courts, as follows:

"(a) Local school superintendents as applied to private schools, the Department of Education as applied to ~~and~~ home study programs, or visiting teachers and attendance officers as applied to public schools, after written notice to the parent or guardian of a child, shall report to the juvenile or other court having jurisdiction under Chapter 11 of Title 15 any child who is absent from a public or private school or a home study

program in violation of this subpart. If the judge of the court places such child in a home or in a public or private institution pursuant to Chapter 11 of Title 15, school shall be provided for such child."

SECTION 34.

Said chapter is further amended by repealing Code Section 20-2-741, relating to local boards of education sending copies of student codes of conduct to the Department of Education.

SECTION 35.

Said chapter is further amended by repealing and reserving Code Section 20-2-771.1, relating to voluntary preenrollment of children.

SECTION 36.

Said chapter is further amended by repealing and reserving Code Section 20-2-960, relating to requiring bonds of principals.

SECTION 37.

Said chapter is further amended in Code Section 20-2-984, relating to the authority of the Professional Standards Commission, by repealing and reserving subsection (e), relating to demonstration plans under Code Section 20-2-251.

SECTION 38.

Said chapter is further amended by repealing and reserving Article 20, the "Education Partnership Act of 1990."

SECTION 39.

Said chapter is further amended by repealing and reserving Code Section 20-2-1183, relating to possession of electronic communication devices in school.

SECTION 40.

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

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

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

E Abdul-Salaam	Y Davis	Heckstall	Y McBrayer	Y Shaw
Y Abrams	Y Dawkins-Haigler	Y Hembree	Y McCall	Y Sheldon
Y Allison	Y Dempsey	Y Henson	Y McKillip	Y Sims, B
Y Amerson	Y Dickerson	Y Hightower	Y Meadows	Sims, C
E Anderson	Y Dickey	Y Hill	Y Mitchell	Y Smith, E

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

On the passage of the Bill, by substitute, the ayes were 162, nays 0.

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

Representative Maxwell of the 17th moved that the following Bill of the House be withdrawn from the Committee on Education and recommitted to the Committee on Retirement:

HB 689. By Representatives Horne of the 71st and Smith of the 70th:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local boards of education, and Article 1 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to the state employees' health insurance plan, so as to authorize local boards of education to provide health insurance benefits to members leaving office on or after a specified date if such members have served on the board for at least 12 years; to provide that such former

members shall pay the entire cost of the health insurance coverage; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The motion prevailed.

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

HR 1240. By Representatives Cooper of the 41st, Clark of the 104th, Riley of the 50th, Mitchell of the 88th, Taylor of the 173rd and others:

A RESOLUTION recognizing and commending Georgia State University's Legislative Health Policy Certificate Program and Advanced Health Policy Institute and inviting their instructors to be recognized by the House of Representatives; and for other purposes.

HR 1241. By Representatives McCall of the 30th, England of the 108th, Roberts of the 154th, Dickson of the 6th, Burns of the 157th and others:

A RESOLUTION commending the Future Farmers of America, recognizing February 21, 2012, as Future Farmers of America Day at the state capitol, and inviting them to be recognized by the House of Representatives; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 1242. By Representatives Brockway of the 101st, Lindsey of the 54th, Sheldon of the 105th, O'Neal of the 146th, Ashe of the 56th and others:

A RESOLUTION recognizing February 1, 2012, as End the Commercial Sexual Exploitation of Children Day at the capitol; and for other purposes.

HR 1243. By Representatives Rogers of the 26th, Collins of the 27th, Dunahoo of the 25th and Benton of the 31st:

A RESOLUTION honoring the life and memory of Edgar Brown Dunlap, Jr.; and for other purposes.

HR 1244. By Representatives Cooper of the 41st, Jerguson of the 22nd, Clark of the 104th, Hatchett of the 143rd, Taylor of the 173rd and others:

A RESOLUTION recognizing Wednesday, February 15, 2012, as Lupus Awareness Day at the state capitol; and for other purposes.

HR 1245. By Representatives Cooper of the 41st, Jerguson of the 22nd, Jacobs of the 80th, Henson of the 87th, Wilkinson of the 52nd and others:

A RESOLUTION recognizing the Georgia Dental Association's Georgia Mission of Mercy; and for other purposes.

HR 1246. By Representatives Hugley of the 133rd, Randall of the 138th, Morgan of the 39th, Smyre of the 132nd, James of the 135th and others:

A RESOLUTION recognizing March 20, 2012, as Alpha Kappa Alpha Day at the capitol; and for other purposes.

HR 1247. By Representatives McCall of the 30th, England of the 108th, Roberts of the 154th, Lindsey of the 54th, O`Neal of the 146th and others:

A RESOLUTION recognizing the Legislative Livestock Showdown; and for other purposes.

HR 1248. By Representatives Carter of the 175th, Shaw of the 176th and Black of the 174th:

A RESOLUTION recognizing and commending the Southside Church of Christ in Valdosta on the occasion of its 60th anniversary; and for other purposes.

HR 1249. By Representatives Smith of the 70th and Horne of the 71st:

A RESOLUTION honoring military veterans of the Vietnam War and commending efforts to bring a display of the Vietnam Veterans Memorial Traveling Wall to Coweta County; and for other purposes.

HR 1250. By Representatives Roberts of the 154th, Dudgeon of the 24th, Rogers of the 26th, Ehrhart of the 36th, Ramsey of the 72nd and others:

A RESOLUTION commending the Georgia Institute of Technology on its award of a United States Department of Transportation University Transportation Center; and for other purposes.

HR 1251. By Representatives Williams of the 165th, Stephens of the 164th, Talton of the 145th and Dutton of the 166th:

A RESOLUTION honoring and celebrating the 75th birthday of Mary Fulwood; and for other purposes.

HR 1252. By Representatives Williams of the 165th, Stephens of the 164th and Dutton of the 166th:

A RESOLUTION honoring the life and memory of Mollie Ashmore; and for other purposes.

HR 1253. By Representatives Williams of the 165th, Talton of the 145th and Dutton of the 166th:

A RESOLUTION honoring and celebrating the 78th birthday of Mrs. Evelyn Richardson; and for other purposes.

HR 1254. By Representatives Manning of the 32nd, O'Neal of the 146th, Talton of the 145th, Riley of the 50th, Bell of the 58th and others:

A RESOLUTION commending Children's Advocacy Centers of Georgia and recognizing February 15, 2012, as Children's Advocacy Centers Day at the capitol; and for other purposes.

HR 1255. By Representative Sheldon of the 105th:

A RESOLUTION recognizing and commending Miss Dacula 2011 Hayley Wilson; and for other purposes.

HR 1256. By Representative Sheldon of the 105th:

A RESOLUTION recognizing and commending Tiny Miss Dacula 2011 Elizabeth Kelsey; and for other purposes.

HR 1257. By Representative Sheldon of the 105th:

A RESOLUTION recognizing and commending Miss Junior Dacula 2011 Reba Shelby Jack; and for other purposes.

HR 1258. By Representatives Evans of the 40th and Golick of the 34th:

A RESOLUTION honoring Liz Davis and commending her on receiving the 2011 Smyrna Citizen of the Year Award; and for other purposes.

HR 1259. By Representatives Rogers of the 26th, Collins of the 27th, Dunahoo of the 25th and Benton of the 31st:

A RESOLUTION honoring the life and memory of Patrick Michael Kelley; and for other purposes.

HR 1260. By Representatives Rogers of the 26th, Collins of the 27th, Dunahoo of the 25th and Benton of the 31st:

A RESOLUTION honoring the life and memory of John Wesley Jacobs, Jr.; and for other purposes.

HR 1261. By Representatives Rogers of the 26th, Collins of the 27th, Dunahoo of the 25th and Benton of the 31st:

A RESOLUTION honoring the life and memory of Betty Mae Castleberry Richardson; and for other purposes.

HR 1262. By Representatives Rogers of the 26th, Collins of the 27th, Dunahoo of the 25th and Benton of the 31st:

A RESOLUTION honoring the life and memory of Frank Turk; and for other purposes.

HR 1263. By Representatives Rogers of the 26th, Collins of the 27th, Dunahoo of the 25th and Benton of the 31st:

A RESOLUTION honoring the life and memory of Johnnie Wiley; and for other purposes.

HR 1264. By Representatives Rogers of the 26th, Collins of the 27th, Dunahoo of the 25th and Benton of the 31st:

A RESOLUTION honoring the life and memory of W. Woodrow "Woody" Stewart; and for other purposes.

HR 1265. By Representatives Rogers of the 26th, Collins of the 27th, Dunahoo of the 25th and Benton of the 31st:

A RESOLUTION honoring the life and memory of Herbert Glenn Harris; and for other purposes.

HR 1266. By Representatives Rogers of the 26th, Collins of the 27th, Dunahoo of the 25th and Benton of the 31st:

A RESOLUTION honoring the life and memory of Jettie Lee Whitmire Wiley; and for other purposes.

HR 1267. By Representatives Rogers of the 26th, Collins of the 27th, Dunahoo of the 25th and Benton of the 31st:

A RESOLUTION honoring the life and memory of Miller Leslie Watkins, Jr.; and for other purposes.

HR 1268. By Representatives Rogers of the 26th, Collins of the 27th, Dunahoo of the 25th and Benton of the 31st:

A RESOLUTION honoring the life and memory of Carol Hudson Eure, Sr.; and for other purposes.

HR 1269. By Representatives Rogers of the 26th, Collins of the 27th, Dunahoo of the 25th and Benton of the 31st:

A RESOLUTION honoring the life and memory of Gene Smith; and for other purposes.

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

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