

**Representative Hall, Atlanta, Georgia****Tuesday, January 15, 2013****Second Legislative Day**

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

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

Abrams	Coomer	Greene	Maxwell	Sims, B
Alexander	Cooper	Gregory	Mayo	Smith, E
Allison	Dawkins-Haigler	Hamilton	McCall	Smith, L
Anderson	Deffenbaugh	Harbin	Meadows	Smith, M
Atwood	Dempsey	Harden	Mitchell	Smith, R
Ballinger	Dickerson	Harrell	Morgan	Smyre
Barr	Dickey	Hatchett	Murphy	Spencer
Battles	Dickson	Hawkins	Neal	Stephens, R
Beasley-Teague	Dollar	Henson	Nimmer	E Stephenson
Bell	Douglas	Hightower	Nix	Stovall
Bennett	Drenner	Hill	Oliver	Strickland
Bentley	Dudgeon	Hitchens	O'Neal	Talton
Benton	E Dukes	Holcomb	Parrish	Tankersley
Black	Dunahoo	Holmes	Parsons	Tanner
Braddock	Duncan	Holt	Peake	Taylor, D
Broadrick	Dutton	Houston	Pezold	Taylor, T
Brockway	Ehrhart	Howard	Powell, A	Teasley
Brooks	England	Hugley	Powell, J	Thomas, A.M.
Bruce	Epps, C	Jackson	Pruett	Thomas, B
Bryant	Epps, J	Jasperse	Quick	Waites
Buckner	Evans	Jones, J	Ramsey	Watson, B
Burns	Fleming	Jones, L	Randall	Watson, S
Caldwell, J	E Floyd	Jones, S	Rice	Welch
Caldwell, M	Fludd	Jordan	Riley	Weldon
Carson	Frazier	Kaiser	Roberts	Wilkerson
Carter	Frye	Kelley	Rogers, C	Wilkinson
Casas	Fullerton	Kendrick	Rogers, T	Willard
Chandler	Gardner	Kidd	Rutledge	Williams, A
Chapman	Gasaway	Kirby	Rynders	Williams, C
Cheokas	Geisinger	Knight	E Scott	Williams, E
Clark, J	Glanton	Lindsey	E Setzler	Williamson
Clark, V	Golick	Lumsden	Sharper	Yates
Coleman	Gordon	Mabra	Shaw	Ralston, Speaker
Cooke	Gravley	Martin	Sheldon	

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

Representatives Beverly of the 143rd, Channell of the 120th, Jacobs of the 80th, Marin of the 96th, Morris of the 156th, Mosby of the 83rd, and Pak of the 108th.

They wished to be recorded as present.

Prayer was offered by Dr. Benny Tate, Pastor, Rock Springs Church, Milner, Georgia.

The members pledged allegiance to the flag.

Representative Cheokas of the 138th, Vice-Chairman of the Committee on Information and Audits, reported that the Journal of the previous legislative day had been read and found to be correct.

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

The Journal was confirmed.

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

1. Introduction of Bills and Resolutions.

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

HB 21. By Representative Oliver of the 82nd:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 19 of the Official Code of Georgia Annotated, relating to general provisions relative to adoption, so as to provide for postadoption contact agreements; to provide for procedure; to provide for jurisdiction; to provide for modification of such agreements; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Juvenile Justice.

HB 22. By Representative Oliver of the 82nd:

A BILL to be entitled an Act to amend Chapter 31 of Title 36 of the Official Code of Georgia Annotated, relating to incorporation of municipal corporations, so as to provide certain requirements and standards for the incorporation of new municipal corporations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

- HB 30. By Representatives Brooks of the 55th, Stephenson of the 90th and Dawkins-Haigler of the 91st:

A BILL to be entitled an Act to amend Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to courts, so as to create the Georgia Judicial Nominating Commission; to define certain terms; to provide for the appointment of members and terms; to provide for duties and responsibilities; to provide for procedures; to provide for confidentiality; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

- HB 34. By Representatives Parsons of the 44th and Smith of the 134th:

A BILL to be entitled an Act to amend Code Section 48-7-29.14 of the Official Code of Georgia Annotated, relating to the income tax credit for clean energy property, so as to include certain commercial geothermal heat pumps with the definition of the term 'clean energy property'; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

- HB 35. By Representatives Battles of the 15th, Epps of the 144th, Talton of the 147th, Taylor of the 79th, Weldon of the 3rd and others:

A BILL to be entitled an Act to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to carrying and possession of firearms, so as to provide that the board of education of each school system in this state shall be authorized to designate one or more administrators in each school in the school system to possess and carry firearms within a school safety zone or school building, at a school function, or on school property or on a bus or other transportation furnished by the school; to provide for training; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety & Homeland Security.

- HB 40. By Representatives Battles of the 15th, Holt of the 112th, Jasperse of the 11th, Rynders of the 152nd, Nix of the 69th and others:

A BILL to be entitled an Act to amend Article 7 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to commercial drivers'

licenses, so as to prohibit persons required to register on the state sexual offender registry for an act committed on or after July 1, 2013, from being licensed to drive certain commercial motor vehicles; to provide for a definition; to provide for revocation of certain commercial driver's license endorsements under certain circumstances; to provide for exceptions; to provide for penalties; to provide for a sunset of this Code section; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 41. By Representatives Willard of the 51st, Wilkinson of the 52nd, Riley of the 50th, Geisinger of the 48th, Mitchell of the 88th and others:

A BILL to be entitled an Act to amend Code Section 36-70-24 of the Official Code of Georgia Annotated, relating to criteria for service delivery strategies, so as to change certain provisions relating to water and sewer fees charged to customers located outside a service provider's geographical boundaries; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 42. By Representative Sims of the 169th:

A BILL to be entitled an Act to amend Part 2 of Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, collection, and assessment of sales and use tax, so as to change the manner and method of imposing and collecting such taxes on certain manufactured single-family structures; to provide for legislative intent; to provide for definitions; to provide for procedures, conditions, and limitations; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 43. By Representative Sims of the 169th:

A BILL to be entitled an Act to amend Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general provisions applicable to law enforcement officers and agencies, so as to clarify that persons leaving establishments licensed to sell alcoholic beverages by the drink shall be entitled to the defense of entrapment under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 44. By Representative Ehrhart of the 36th:

A BILL to be entitled an Act to amend Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to clerks of superior court, so as to provide for the disposition of certain fees; 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 45. By Representative Ehrhart of the 36th:

A BILL to be entitled an Act to amend Article 1 of Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions relative to public property, so as to change certain provisions relating to writing off small amounts due to the state; to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to extend automatic repeals of certain provisions relating to nonlapsing revenue of institutions in the University System of Georgia and the Technical College System of Georgia; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

HB 46. By Representative Mitchell of the 88th:

A BILL to be entitled an Act to amend Chapter 1A of Title 20 of the Official Code of Georgia Annotated, relating to early care and learning, so as to require a satisfactory child protective services report for employees and directors of day-care centers and related child care facilities; to amend Article 8 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to the Central Child Abuse Registry, so as to authorize the Division of Family and Children Services of the Department of Human Services to provide certain information on the registry to the Department of Early Care and Learning; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 47. By Representatives Mitchell of the 88th, Willard of the 51st and Jordan of the 77th:

A BILL to be entitled an Act to amend Part 1 of Article 7 of Chapter 14 of Title 44 of the Official Code of Georgia Annotated, relating to foreclosure in general, so as to provide, under certain circumstances, for an opportunity, prior to foreclosure, for a debtor to cure a foreclosure and bring the debt current by making all past due payments along with any late fees and charges; to provide for a method of payment; to provide for a limitation; 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 48. By Representatives Mitchell of the 88th, Stephens of the 165th, Jordan of the 77th, Mayo of the 84th, Marin of the 96th and others:

A BILL to be entitled an Act to amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to miscellaneous provisions under the "Quality Basic Education Act," so as to enact "Georgia's Return to Play Act of 2013"; to provide for legislative intent; to provide for definitions; to require schools and organizations which provide youth athletic activities to provide concussion-related information to youth athletes and parents; to provide for a concussion recognition education course for coaches and others; to establish a return-to-play policy for youth athletes suffering from concussions; to provide for limited liability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

HB 49. By Representative Mitchell of the 88th:

A BILL to be entitled an Act to amend Part 4 of Article 7 of Chapter 14 of Title 44 of the Official Code of Georgia Annotated, relating to foreclosures on personalty, so as to enact the "Foreclosure Rescue Fraud Prevention Act"; to provide for definitions; to provide for foreclosure rescue consultants and firms to be bonded; to provide for the application of certain state consumer protection laws to foreclosure rescue transactions; to provide that unfair foreclosure rescue transactions are unlawful and void; to provide for remedies; 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 50. By Representatives Cooper of the 43rd, Watson of the 166th, Kaiser of the 59th, Lindsey of the 54th and Rynders of the 152nd:

A BILL to be entitled an Act to amend Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, so as to require mandatory reporting for nurses; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

HB 51. By Representatives Hatchett of the 150th, Carter of the 175th and Coomer of the 14th:

A BILL to be entitled an Act to amend Chapter 8 of Title 31 of the Official Code of Georgia Annotated, relating to care and protection of indigent and elderly patients, so as to enact the "Hospital Medicaid Financing Program Act"; to authorize the Department of Community Health to assess a provider payment on hospitals for the purpose of obtaining federal financial participation for Medicaid; to provide for definitions; to provide for rules and regulations; to provide for a segregated account within the Indigent Care Trust Fund; to provide for the use of funds; to provide for repeal unless reauthorized; to provide for related matters; to provide effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 52. By Representative Sims of the 169th:

A BILL to be entitled an Act to amend Part 3 of Article 2 of Chapter 2 of Title 38 of the Official Code of Georgia Annotated, relating to adjutant general and other executives, so as to provide qualifications for appointment to the office of adjutant general; to provide qualifications for appointment to the office of assistant adjutant general; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Defense & Veterans Affairs.

HR 11. By Representative Sims of the 169th:

A RESOLUTION amending the Rules of the House of Representatives; and for other purposes.

Referred to the Committee on Rules.

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

Representatives Brooks of the 55th, Neal of the 2nd, Pak of the 108th, and Bennett of the 94th.

The following Resolution of the House was read:

HR 12. 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 2013 regular session of the General Assembly for the period of Monday, January 14, 2013, through Monday, January 28, 2013, shall be as follows:

Monday, January 14 .....in session for legislative day 1  
 Tuesday, January 15 .....in session for legislative day 2  
 Wednesday, January 16.....in session for legislative day 3  
 Thursday, January 17 .....in session for legislative day 4  
 Friday, January 18 through Sunday, January 27 .....in adjournment  
 Monday, January 28 .....in session for legislative day 5

BE IT FURTHER RESOLVED that on and after January 28, 2013, the periods of adjournment of the 2013 session, if any, shall be as specified by subsequent resolution of the General Assembly; provided that unless otherwise specified by subsequent resolution the General Assembly shall be in adjournment on each Saturday and Sunday.

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

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

Y Abrams	Y Coomer	Y Hamilton	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Harbin	Y Meadows	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y Harden	Y Mitchell	Y Smith, L
Y Anderson	Y Deffenbaugh	Y Harrell	Y Morgan	Y Smith, M
Y Atwood	Y Dempsey	Y Hatchett	Morris	Y Smith, R
Y Ballinger	Y Dickerson	Y Hawkins	Y Mosby	Y Smyre

Y Barr	Y Dickey	Y Henson	Y Murphy	Y Spencer
Y Battles	Y Dickson	Y Hightower	Y Neal	Y Stephens, M
Y Beasley-Teague	Y Dollar	Y Hill	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	E Stephenson
Y Bennett	Y Drenner	Y Holcomb	Y Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Strickland
Y Benton	E Dukes	Y Holt	Y Pak	Y Talton
Y Beverly	Y Dunahoo	Y Houston	Y Parrish	Y Tankersley
Y Black	Y Duncan	Y Howard	Y Parsons	Y Tanner
Y Braddock	Y Dutton	Y Hugley	Y Peake	Y Taylor, D
Y Broadrick	Y Ehrhart	Y Jackson	Y Pezold	Y Taylor, T
Y Brockway	Y England	Y Jacobs	Y Powell, A	Y Teasley
Y Brooks	Y Epps, C	Y Jasperse	Y Powell, J	Y Thomas, A.M.
Y Bruce	Y Epps, J	Y Jones, J	Y Pruett	Y Thomas, B
Y Bryant	Y Evans	Y Jones, L	Y Quick	VACANT
Y Buckner	Y Fleming	Y Jones, S	Y Ramsey	VACANT
Y Burns	E Floyd	Y Jordan	Y Randall	Y Waites
Y Caldwell, J	Y Fludd	Y Kaiser	Rice	Y Watson, B
Y Caldwell, M	Y Frazier	Y Kelley	Y Riley	Y Watson, S
Y Carson	Y Frye	Y Kendrick	Y Roberts	Y Welch
Y Carter	Y Fullerton	Y Kidd	Y Rogers, C	Y Weldon
Y Casas	Y Gardner	Y Kirby	Y Rogers, T	Y Wilkerson
Y Chandler	Y Gasaway	Y Knight	Y Rutledge	Y Wilkinson
Y Channell	Geisinger	Y Lindsey	Y Rynders	Y Willard
Y Chapman	Y Glanton	Y Lumsden	E Scott	Y Williams, A
Y Cheokas	Y Golick	Y Mabra	E Setzler	Y Williams, C
Y Clark, J	Y Gordon	Y Marin	Y Sharper	Y Williams, E
Y Clark, V	Y Gravley	Y Martin	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Maxwell	Y Sheldon	Y Yates
Y Cooke	Y Gregory	Y Mayo	Y Sims, B	Ralston, Speaker

On the adoption of the Resolution, the ayes were 169, nays 0.

The Resolution was adopted.

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

HR 22. By Representative Kirby of the 114th:

A RESOLUTION congratulating the Loganville High School baseball team on winning the 2012 Class AAAA State Championship and inviting the team to appear before the House of Representatives; and for other purposes.

HR 23. By Representatives Ralston of the 7th, Kaiser of the 59th and Shaw of the 176th:

A RESOLUTION congratulating Jay Swift on being named Georgia's Restaurateur of the Year and inviting him to be recognized by the House of Representatives; and for other purposes.

The following Resolutions of the House were read and adopted:

- HR 13. By Representatives Williamson of the 115th, Coomer of the 14th, Channell of the 120th, O`Neal of the 146th, Lindsey of the 54th and others:
- A RESOLUTION remembering and honoring the life of First Lieutenant Joseph Dennis Helton, Jr.; and for other purposes.
- HR 14. By Representative McCall of the 33rd:
- A RESOLUTION recognizing and commending Mr. Danny Bessinger; and for other purposes.
- HR 15. By Representatives Burns of the 159th, Knight of the 130th, Strickland of the 111th, Shaw of the 176th, Roberts of the 155th and others:
- A RESOLUTION recognizing January 17, 2013, "Sportsmen's and Coastal Day at the Capitol"; and for other purposes.
- HR 16. By Representative Harden of the 148th:
- A RESOLUTION recognizing the annual Cordele-Crisp County Fish Fry and commending Mr. Eli Tinsley, Mr. Jamie Fernandez, Mr. Arthur James Nance, Mr. Bub Denham, and the Cordele-Crisp County Fish Fry cooking team; and for other purposes.
- HR 17. By Representative Harden of the 148th:
- A RESOLUTION recognizing Ms. Gussie Louise Person and celebrating the occasion of her 100th birthday; and for other purposes.
- HR 18. By Representatives Maxwell of the 17th, Braddock of the 19th, Gravley of the 67th and Alexander of the 66th:
- A RESOLUTION commending the participants of the first annual Paulding County Civics Day; and for other purposes.
- HR 19. By Representatives Lindsey of the 54th, Oliver of the 82nd and Wilkinson of the 52nd:
- A RESOLUTION recognizing and commending Holy Innocents' Episcopal Church; and for other purposes.

HR 20. By Representatives Rogers of the 10th and Gasaway of the 28th:

A RESOLUTION recognizing and commending Britney Vickery and Ivy Hall for the success of their business, Initials, Inc.; and for other purposes.

HR 21. By Representative Brooks of the 55th:

A RESOLUTION honoring the life and memory of Mrs. Eloise Johnson Tarver Hudson; and for other purposes.

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

HR 22 Do Pass

HR 23 Do Pass

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

HR 22. By Representative Kirby of the 114th:

A RESOLUTION congratulating the Loganville High School baseball team on winning the 2012 Class AAAA State Championship and inviting the team to appear before the House of Representatives; and for other purposes.

HR 23. By Representatives Ralston of the 7th, Kaiser of the 59th and Shaw of the 176th:

A RESOLUTION congratulating Jay Swift on being named Georgia's Restaurateur of the Year and inviting him to be recognized by the House of Representatives; and for other purposes.

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

Mr. Speaker:

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

HR 8. By Representative Ralston of the 7th:

A RESOLUTION calling a joint session of the House of Representatives and the Senate for the purpose of hearing a message from the Governor; inviting the Justices of the Supreme Court and the Judges of the Court of Appeals to be present at the joint session; and for other purposes.

HR 10. By Representative Ralston of the 7th:

A RESOLUTION calling a joint session of the House of Representatives and the Senate for the purpose of hearing a message from the Chief Justice of the Supreme Court; and for other purposes.

The President has appointed as a Committee of Notification/Escort the following Senators: Shafer of the 48th, Chance of the 16th, and Henson of the 41st, Jackson of the 24th, Jeffares of the 17th, Bethel of the 54th, and Thompson of the 33rd.

The following communications were received:

House of Representatives  
415 State Capitol  
Atlanta, Georgia 30334

January 15, 2013

The Honorable Robert E. Rivers, Clerk  
Georgia House of Representatives  
309 State Capitol  
Atlanta, GA 30334

Dear Mr. Clerk:

Pursuant to House Rule 11.6, this is to certify that the House Majority Caucus elected the following as House Majority Leader and House Majority Whip for the 2013-2014 Legislative Term of the Georgia General Assembly.

The Honorable Larry O'Neal, House Majority Leader  
The Honorable Edward Lindsey, House Majority Whip

Respectfully,

/s/ Donna Sheldon  
Donna Sheldon, Chair  
House Majority Caucus

DS/cb

State of Georgia  
Office of the Governor  
Atlanta 30334-0900

January 15, 2013

Mr. Robert E. Rivers  
Clerk of the House  
Georgia House of Representatives  
309 State Capitol  
Atlanta, Georgia 30334

Dear Mr. Clerk:

Please accept this letter as formal notification of my selection of the Honorable Amy Carter, the Honorable Matt Hatchett, and the Honorable Christian Coomer as my Floor Leaders in the Georgia House of Representatives during the 2013 Session of the Georgia General Assembly. Please afford them all due rights and compensation in accordance with these positions.

If I can be of further service, please do not hesitate to contact me.

Sincerely,

/s/ Nathan Deal

ND:rb

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.