

Representative Hall, Atlanta, Georgia

Wednesday, January 16, 2013

Third 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:

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

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

Representatives Abrams of the 89th, Anderson of the 92nd, Bennett of the 94th, Bentley of the 139th, Beverly of the 143rd, Braddock of the 19th, Channell of the 120th, Chapman of the 167th, Clark of the 98th, Dukes of the 154th, Epps of the 144th, Evans of the 42nd, Gravley of the 67th, Mosby of the 83rd, Oliver of the 82nd, Pak of the 108th, Randall of the 142nd, Shaw of the 176th, Smyre of the 135th, and Taylor of the 79th.

They wished to be recorded as present.

Prayer was offered by Dr. D.B. (Dee) Shelnett, Jr., Johns Creek United Methodist Church, Johns Creek, 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.
2. First reading and reference of House Bills and Resolutions.
3. Second reading 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 3. By Representative Willard of the 51st:

A BILL to be entitled an Act to amend Part 2 of Article 1 of Chapter 6 of Title 12 and Title 24 of the Official Code of Georgia Annotated, relating to the practice of professional forestry and evidence, respectively, so as to conform provisions of the Code due to the passage of 2011 HB 24 and HB 214; to change provisions relating to using a writing to refresh memory; to reassign functions of the former Division of Public Health of the Department of Community Health to the new Department of Public Health relating to disclosure of AIDS confidential information; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

- HB 36. By Representatives Watson of the 166th, Burns of the 159th, Stephens of the 164th, Bryant of the 162nd, Dutton of the 157th and others:

A BILL to be entitled an Act to amend Code Section 27-1-2 of the Official Code of Georgia Annotated, relating to game and fish definitions, so as to revise the definition of "game fish"; to provide an effective date; to repeal conflicting laws; and for other purposes.

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

- HB 53. By Representatives Dickerson of the 113th, Harrell of the 106th, Rice of the 95th, Clark of the 101st, Stephenson of the 90th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to standards, labeling, and adulteration of food, so as to revise definitions relating to food sales establishments and food service establishments; to exempt certain activities relating to public and private schools and nonprofit entities; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture & Consumer Affairs.

- HB 54. By Representatives Evans of the 42nd, Gordon of the 163rd, Stephens of the 165th, Abrams of the 89th, Holcomb of the 81st and others:

A BILL to be entitled an Act to amend Code Section 20-3-519.5 of the Official Code of Georgia Annotated, relating to eligibility requirements for HOPE grants, so as to lower the minimum cumulative grade point average required for maintaining eligibility for a HOPE grant; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Higher Education.

- HB 55. By Representatives Golick of the 40th, Ramsey of the 72nd, Atwood of the 179th, Pak of the 108th, Coomer of the 14th and others:

A BILL to be entitled an Act to amend Part 1 of Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to wiretapping, eavesdropping, surveillance, and related offenses, so as to change provisions relating to interception of wire or oral transmissions by law enforcement officers; to change provisions relating to the application and issuance of orders authorizing installation and use of pen register and trap and trace

device; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 56. By Representative Ramsey of the 72nd:

A BILL to be entitled an Act to amend Article 1 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions regarding superior courts, so as to revise the terms of court for the Griffin Judicial Circuit; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 57. By Representatives Ramsey of the 72nd, Golick of the 40th and Cooke of the 18th:

A BILL to be entitled an Act to amend Code Section 16-13-25 of the Official Code of Georgia Annotated, relating to Schedule I controlled substances, so as to expand the definition of Schedule I controlled substances; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 58. By Representative Sims of the 169th:

A BILL to be entitled an Act to amend Chapter 1 of Title 3 of the Official Code of Georgia Annotated, relating to general provisions pertaining to alcoholic beverages, so as to require that retail consumption dealers and retail dealers who sell alcoholic beverages for consumption on the premises shall make available to patrons alcohol sensors for the purpose of voluntarily testing personal alcohol consumption; to authorize the use of vending machine alcohol sensors; to provide for civil penalties; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries.

HB 59. By Representatives Taylor of the 79th, Cooke of the 18th and Riley of the 50th:

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 for law enforcement officers and agencies, so as to require persons and companies licensed to provide alarm monitoring services to utilize alarm verification in order to preserve valuable municipal and county law enforcement and firefighter resources; to provide for exceptions; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety & Homeland Security.

HB 60. By Representative Holt of the 112th:

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 an exemption from certain laws regarding the carrying and possession of firearms by retired judges; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety & Homeland Security.

HB 61. By Representative Kidd of the 145th:

A BILL to be entitled an Act to amend Article 4 of Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to registration of lobbyists, lobbyist reporting, and regulation of lobbying activities, so as to provide that lobbyist expenditures for the benefit of elected state officials and members of the General Assembly shall not be subject to lobbyist reporting; to provide that elected state officials and members of the General Assembly shall be required to report lobbyist expenditures for their benefit; to provide for jurisdiction of the Georgia Government Transparency and Campaign Finance Commission and punishment for violations; 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 Rules.

HB 62. By Representatives Kidd of the 145th and 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 63. By Representative Channell of the 120th:

A BILL to be entitled an Act to amend an Act creating the Board of Commissioners of Greene County, approved August 11, 1925 (Ga. L. 1925, p. 653), as amended, particularly by an Act approved October 1, 2001 (Ga. L. 2001, Ex. Sess., p. 698), and by an Act approved September 21, 2011 (Ga. L. 2011, Ex. Sess., p. 411), so as 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 of subsequent members; to provide for submission of this Act for approval under the federal Voting Rights Act of 1965, as amended; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 64. By Representative Channell of the 120th:

A BILL to be entitled an Act to amend an Act to provide that certain officials of Greene County who have served at least 15 years in office may, upon leaving, continue to participate in the county health insurance program for themselves and their dependents by paying the total cost of such participation, approved May 16, 2007 (Ga. L. 2007, p. 3664), so as to clarify the qualifications for participation in such health insurance program; to remove the coroner from eligibility to participate in such health insurance program; to prohibit persons who are separated from the county by their commission of an illegal act from participating in such health insurance program; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 65. By Representative Channell of the 120th:

A BILL to be entitled an Act to amend an Act creating the Board of Education of Greene County, approved March 12, 1986 (Ga. L. 1986, p. 3696), as amended, particularly by an Act approved October 1, 2001 (Ga. L. 2001, Ex. Sess., p. 693), and by an Act approved September 21, 2011 (Ga. L. 2011, Ex. Sess., p. 417), 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 election of subsequent members; to provide for submission of this Act for approval under the federal Voting Rights Act of 1965, as amended; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 66. By Representative Rice of the 95th:

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 revise provisions of law regarding state and local title ad valorem tax fees; to revise definitions regarding such fees; to revise the time for submitting such fees and penalties for failure to submit such fees timely; to provide for the payment of such fees over time in certain circumstances; to clarify the provisions of law regarding rental motor vehicles; to extend the period of time which a loaner vehicle may be removed from inventory; to provide for a title ad valorem tax fee for leased vehicles; to clarify the provisions of law regarding the application of title ad valorem tax fees to certain title transactions; to provide for motor vehicles titled in other states but based in this state; to exclude the application of certain sales and use taxes to motor vehicle sales; and for other purposes.

Referred to the Committee on Ways & Means.

HR 2. By Representatives Waites of the 60th, Jones of the 53rd, Scott of the 76th, Thomas of the 56th, Jordan of the 77th and others:

A RESOLUTION urging the Congress of the United States to pass legislation increasing criminal penalties for offenders involved in illegal human trafficking and to provide greater assistance to the women and children victims of these heinous crimes; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

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

HB 21	HB 22
HB 30	HB 34
HB 35	HB 40
HB 41	HB 42
HB 43	HB 44
HB 45	HB 46
HB 47	HB 48
HB 49	HB 50
HB 51	HB 52
HR 11	

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

Representatives Nix of the 69th, Wilkinson of the 52nd, Smith of the 125th, and Peake of the 141st.

Pursuant to HR 22, the House congratulated the Loganville High School baseball team on winning the 2012 Class AAAA State Championship and invited the team to appear before the House of Representatives.

Pursuant to HR 23, the House congratulated Jay Swift on being named Georgia's Restaurateur of the Year and invited him to be recognized by the House of Representatives.

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

HR 29. By Representatives Burns of the 159th, Stephens of the 164th, Parrish of the 158th, Tankersley of the 160th, England of the 116th and others:

A RESOLUTION recognizing and commending the Screven County Development Authority on the 50th anniversary of the signing of the legislation that created the development authority and inviting its members to be recognized by the House of Representatives; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 3. By Representatives Waites of the 60th, Jones of the 53rd, Scott of the 76th, Thomas of the 56th and Beasley-Teague of the 65th:

A RESOLUTION commending the National Strategic Action Convening for State Legislators on Reproductive Rights and Justice Center for Women Policy Studies for adopting a policy resolution on women's reproductive rights on July 15-17, 2011; and for other purposes.

HR 25. By Representatives Rice of the 95th and Marin of the 96th:

A RESOLUTION congratulating the Norcross Blue Devils football team on their 2012 Class AAAAAA State Championship win; and for other purposes.

HR 26. By Representative Harrell of the 106th:

A RESOLUTION honoring the life and memory of Mr. Cecil Patrick Deal; and for other purposes.

HR 27. By Representatives Bentley of the 139th, Jones of the 62nd, Holmes of the 129th and Anderson of the 92nd:

A RESOLUTION recognizing and commending Mr. Joseph William Patterson on the occasion of his retirement after 44 years of service at Flint Electric Company; and for other purposes.

HR 28. By Representative Bentley of the 139th:

A RESOLUTION recognizing and commending Mrs. Alane W. Patterson on the occasion of her retirement after 26 years of service to the City of Reynolds; and for other purposes.

By unanimous consent, the following Bill of the House was withdrawn from the Committee on Education and recommitted to the Committee on Appropriations:

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.

The following communication was received:

House of Representatives

Memorandum

To: The Honorable David Ralston, Speaker of the House
The Honorable Robbie Rivers, Clerk of the House

From: Virgil Fludd, Chairman of the Minority Caucus

Subject: Committee on Rules

Date: January 15, 2013

As Chairman of the Minority Caucus I, Virgil Fludd, certify that Representative Stacey Abrams is Minority Leader and Representative Carolyn Hugley is Minority Whip. Please let me know if you have any questions or concerns.

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.