

Representative Hall, Atlanta, Georgia

Friday, February 1, 2013

Ninth Legislative Day

The House met pursuant to adjournment at 9:00 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	Clark, V	Gregory	McCall	Sims, B
Alexander	Coleman	E Hamilton	Meadows	Smith, E
Allison	Cooke	Harbin	Mitchell	Smith, L
E Anderson	Coomer	Harden	Morgan	Smith, M
Atwood	Cooper	Harrell	Mosby	Smith, R
Ballinger	Dawkins-Haigler	Hatchett	E Murphy	Spencer
Barr	Deffenbaugh	Hawkins	Neal	Stephens, M
Battles	Dempsey	E Henson	Nimmer	Stephens, R
Beasley-Teague	Dickerson	Hightower	Nix	Stephenson
Bell	Dickey	Hill	E Oliver	Stovall
E Bennett	Dickson	Hitchens	O'Neal	Strickland
Bentley	Dollar	Holcomb	Pak	Tankersley
Benton	Douglas	Holmes	Parrish	Tanner
E Beverly	Drenner	Holt	Peake	Taylor, D
Black	Dudgeon	Houston	Pezold	Taylor, T
Braddock	E Dukes	Howard	Powell, A	Teasley
Broadrick	Dunahoo	Hugley	E Powell, J	Thomas, A.M.
Brockway	Duncan	Jackson	Pruett	Thomas, B
Brooks	Dutton	Jasperse	Quick	Waites
Bruce	Ehrhart	Jones, J	Ramsey	Watson, B
Bryant	England	Jones, L	Randall	Watson, S
Buckner	Epps, J	Jones, S	Rice	Welch
Burns	Evans	Kaiser	Riley	Weldon
Caldwell, J	Fleming	Kelley	Roberts	Wilkerson
Caldwell, M	Fludd	Kidd	E Rogers, C	Wilkinson
Carson	Frazier	Kirby	Rogers, T	Willard
Carter	Frye	E Knight	Rutledge	Williams, A
Casas	Gasaway	Lindsey	Rynders	Williams, C
Chandler	Geisinger	Lumsden	Scott	Williams, E
Channell	Glanton	Mabra	Setzler	Williamson
Chapman	Gordon	Marin	Sharper	Yates
Cheokas	Gravley	E Martin	Shaw	Ralston, Speaker
Clark, J	Greene	Maxwell	Sheldon	

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

Representatives Epps of the 132nd, Gardner of the 57th, Golick of the 40th, Jacobs of the 80th, Jordan of the 77th, Kendrick of the 93rd, Mayo of the 84th, Morris of the 156th, Parsons of the 44th, Sims of the 169th, Smyre of the 135th, and Talton of the 147th.

They wished to be recorded as present.

Prayer was offered by Reverend Marlin D. Harris, Pastor, New Life Church, Decatur, Georgia.

The members pledged allegiance to the flag.

Representative Sims of the 123rd, 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.

The following communication was received:

House of Representatives
Coverdell Legislative Office Building, Room 404
Atlanta, Georgia 30334

To: Robbie Rivers, Clerk of the House

From: Rep. Dar'shun Kendrick (House District 93)

Date: February 1, 2013

I request that a "yes" vote be marked for the two bills (HB 55 and HB 57) that were taken for a vote on January 31, 2013 that I inadvertently missed, although I was in attendance.

Thank you

/s/ Dar'shun

Rep. Dar'shun Kendrick

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

1. Introduction of Bills and Resolutions.
2. First reading and reference of House Bills and Resolutions.
3. Second reading of Bills and Resolutions.

4. Reports of Standing Committees.
5. Third reading and passage of Local uncontested Bills.
6. First reading and reference of Senate Bills and Resolutions.

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

HB 26. By Representatives Gregory of the 34th, Spencer of the 180th, Caldwell of the 20th, Braddock of the 19th, Yates of the 73rd and others:

A BILL to be entitled an Act to provide a short title; to provide for legislative findings; to amend Article 1 of Chapter 3 of Title 12 of the O.C.G.A., relating to general provisions regarding parks, historic areas, memorials, and recreation; to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the O.C.G.A., relating to carrying and possession of firearms; to amend Part 2 of Article 4 of Chapter 12 of Title 16 of the O.C.G.A., relating to transportation passenger safety; to amend Title 27 of the O.C.G.A., relating to game and fish; to amend Part 2 of Article 10 of Chapter 6 of Title 40 of the O.C.G.A., relating to parking for persons with disabilities, so as to revise certain laws regarding the carrying of firearms; 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 168. By Representatives Fullerton of the 153rd and Mabra of the 63rd:

A BILL to be entitled an Act to amend Article 10 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to contracts and purchases by public schools, Title 36 of the Official Code of Georgia Annotated, relating to local government, and Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to general authority, duties, and procedure relative to government purchasing, so as to modify provisions relating to contractual and purchasing preferences for Georgia service providers and certain supplies, materials, equipment, and agricultural products grown, manufactured, or produced in this state; 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 Education.

HB 169. By Representatives Stovall of the 74th and Kaiser of the 59th:

A BILL to be entitled an Act to amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to local governments, so as to modify the requirements relating to verification of lawful residency by applicants of business licenses and private employers; 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 170. By Representatives Jones of the 47th, Lindsey of the 54th, Martin of the 49th, Riley of the 50th, Wilkinson of the 52nd and others:

A BILL to be entitled an Act to provide tax relief for Fulton County; to impose a cap on certain millage rates imposed by Fulton County; to provide for future millage rate increases; to amend an Act providing a homestead exemption from Fulton County ad valorem taxes for county purposes in the amount of \$15,000.00 of the assessed value of the homestead for residents of that county, approved April 20, 1992 (Ga. L. 1992, p. 6583), as amended, particularly by an Act approved May 13, 2008 (Ga. L. 2008, p. 4010), so as to increase the exemption amount to \$60,000.00 after a two-year phase-in period; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 171. By Representatives Riley of the 50th, Wilkinson of the 52nd, Willard of the 51st, Geisinger of the 48th, Jones of the 47th and others:

A BILL to be entitled an Act to amend an Act creating the Board of Commissioners of Fulton County, approved December 3, 1880 (Ga. L. 1880-81, p. 508), as amended, particularly by an Act approved April 12, 1982 (Ga. L. 1982, p. 4148), an Act approved March 28, 1990 (Ga. L. 1990, p. 4531), and an Act approved April 9, 1993 (Ga. L. 1993, p. 5241), so as to change the description of the commissioner districts; to provide for the continuation in office of current members; to provide for qualifications and the manner of election and terms of office; to provide for the filling of vacancies; to provide for the powers and duties of the chairperson; to provide for a quorum; to provide for the submission of this Act for preclearance pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 172. By Representatives Martin of the 49th, Riley of the 50th, Wilkinson of the 52nd, Willard of the 51st, Geisinger of the 48th and others:

A BILL to be entitled an Act to amend an Act entitled "An Act to completely and exhaustively revise, supersede, consolidate, and replace all of the laws and amendments thereto pertaining to the Fulton County Personnel Board and the Fulton County Merit System of Personnel Administration," approved April 13, 1982 (Ga. L. 1982, p. 4896), as amended, so as to provide a statement of authority; to provide that all future employees of Fulton County shall be unclassified; to provide for current classified employees; to provide that employees may be dismissed, demoted, or disciplined for any reason or no reason without notice, explanation, or appeal; to provide a statement of legislative intent; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 173. By Representatives Tankersley of the 160th, Black of the 174th, Shaw of the 176th, Holmes of the 129th, Powell of the 171st and others:

A BILL to be entitled an Act to amend Code Section 48-8-111 of the Official Code of Georgia Annotated, relating to the imposition of the county special purpose local option sales and use tax, so as to authorize use and expenditure of a portion of such proceeds for repair of capital outlay projects; to provide for procedures, conditions, and limitations; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 174. By Representative Powell of the 32nd:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Lavonia, approved May 13, 2002 (Ga. L. 2002, p. 5809), as amended, particularly by an Act approved May 28, 2010 (Ga. L. 2010, p. 3655), so as to change and extend the corporate limits of such city; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 175. By Representatives Hightower of the 68th, Powell of the 32nd and Fleming of the 121st:

A BILL to be entitled an Act to amend Article 3 of Chapter 5 of Title 44 of the Official Code of Georgia Annotated, relating to covenants and warranties, so as to provide that certain covenants run with the land as a matter of public policy of this state; 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 176. By Representatives Parsons of the 44th, Abrams of the 89th, Smith of the 134th, Dudgeon of the 25th, Martin of the 49th and others:

A BILL to be entitled an Act to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as change certain provisions applicable to counties and municipal corporations related to advanced broadband collocation; to provide for a short title; to provide for definitions; to make changes related to streamlined processing; to standardize certain procedures related to new wireless facilities; to place limitations on the time allowed for the review of new wireless facilities; to limit fees charged for review of wireless facilities; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Energy, Utilities & Telecommunications.

HB 177. By Representatives Wilkinson of the 52nd, Epps of the 144th, Kidd of the 145th, Harbin of the 122nd, Peake of the 141st and others:

A BILL to be entitled an Act to amend Code Section 12-3-402 of the Official Code of Georgia Annotated, relating to the creation and operation of the Oconee River Greenway Authority, so as to change the membership of the authority; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources & Environment.

HB 178. By Representatives Weldon of the 3rd, Cooper of the 43rd, Taylor of the 79th, Channell of the 120th, Parrish of the 158th and others:

A BILL to be entitled an Act to amend Chapter 34 of Title 43 of the O.C.G.A., relating to physicians, acupuncture, physician assistants, cancer and glaucoma treatment, respiratory care, clinical perfusionists, and orthotics and prosthetics practice, so as to provide for additional powers of the Georgia Composite Medical Board relating to pain management; to enact the "Georgia Pain Management Clinic Act"; to require the licensure of pain management clinics; to provide for requirements for licensure; to provide for

denial, suspension, and revocation of licenses; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

HB 179. By Representatives Welch of the 110th, Stephens of the 164th, Rutledge of the 109th, Parrish of the 158th, Harden of the 148th and others:

A BILL to be entitled an Act to amend Article 6 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacies, so as to change certain provisions relating to The Pharmacy Audit Bill of Rights; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

HR 144. By Representative Greene of the 151st:

A RESOLUTION honoring the life of Trooper Sergeant Charles Eugene Gray and dedicating a road in his memory; and for other purposes.

Referred to the Committee on Transportation.

HR 145. By Representative Greene of the 151st:

A RESOLUTION honoring the life of Trooper Harvey Lewis Nicholson and dedicating an intersection in his memory; and for other purposes.

Referred to the Committee on Transportation.

HR 146. By Representatives Kirby of the 114th, Dunahoo of the 30th, Hawkins of the 27th, Rogers of the 10th, Watson of the 172nd and others:

A RESOLUTION requesting that Congress enact the FairTax and expressing the State of Georgia's commitment to ratify the repeal of the 16th Amendment and to conform the existing state tax code accordingly; and for other purposes.

Referred to the Committee on Ways & Means.

HR 159. By Representatives Jones of the 53rd and Waites of the 60th:

A RESOLUTION requesting the President and Congress of the United States enact legislation that will close the wage gap; and for other purposes.

Referred to the Committee on Industry and Labor.

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

HB 19	HB 33
HB 148	HB 149
HB 150	HB 151
HB 152	HB 153
HB 154	HB 155
HB 156	HB 157
HB 158	HB 159
HB 160	HB 161
HB 162	HB 163
HB 164	HB 165
HB 166	HB 167
HR 107	HR 108

Representative Sims of the 169th District, Chairman of the Committee on Intra-Governmental Coordination, submitted the following report:

Mr. Speaker:

Your Committee on Intra-Governmental Coordination has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 25	Do Pass	SB 26	Do Pass, by Substitute
SB 30	Do Pass	SB 31	Do Pass

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

Representative Willard of the 51st 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 3 Do Pass

Respectfully submitted,
/s/ Willard of the 51st
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 109 Do Pass

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

HOUSE RULES CALENDAR
FRIDAY, FEBRUARY 1, 2013

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 9th Legislative Day as enumerated below:

DEBATE CALENDAR

Open Rule

None

Modified Open Rule

None

Modified Structured Rule

None

Structured Rule

SB 24 "Hospital Medicaid Financing Program Act"; enact (GAff-Hatchett-150th)
Bethel-54th

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

Representatives Williams of the 87th and Bentley of the 139th.

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

SB 24. By Senators Bethel of the 54th, Jeffares of the 17th and Jackson of the 24th:

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.

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

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

Y Abrams	Y Coomer	E Hamilton	E McCall	Y Sims, C
Y Alexander	Y Cooper	Y Harbin	Y Meadows	Y Smith, E
N Allison	Y Dawkins-Haigler	Y Harden	Y Mitchell	Y Smith, L
E Anderson	Y Deffenbaugh	Y Harrell	Y Morgan	Y Smith, M
Y Atwood	Y Dempsey	Y Hatchett	Y Morris	Y Smith, R
Y Ballinger	Y Dickerson	Y Hawkins	Y Mosby	Y Smyre
N Barr	Y Dickey	Y Henson	E 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	Y Stephenson
E Bennett	Y Drenner	Y Holcomb	Y Oliver	Y Stovall
Y Bentley	N Dudgeon	Y Holmes	Y O'Neal	Y Strickland
Y Benton	Y Dukes	N Holt	Y Pak	Y Talton
E Beverly	Y Dunahoo	Y Houston	Y Parrish	Y Tankersley
Y Black	N Duncan	Y Howard	Y Parsons	Y Tanner
Y Braddock	N Dutton	Y Hugley	Y Peake	Y Taylor, D
Y Broadrick	Ehrhart	Y Jackson	N Pezold	Y Taylor, T

N Brockway	Y England	Y Jacobs	Y Powell, A	N Teasley
Y Brooks	Y Epps, C	Y Jasperse	E 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	N Quick	VACANT
Y Buckner	Y Fleming	Y Jones, S	Y Ramsey	VACANT
Y Burns	Y Floyd	Y Jordan	Y Randall	Y Waites
Y Caldwell, J	Y Fludd	Y Kaiser	Rice	Y Watson, B
N 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	E Rogers, C	Y Weldon
N Casas	Y Gardner	Y Kirby	Y Rogers, T	Y Wilkerson
Y Chandler	Y Gasaway	E Knight	Y Rutledge	Y Wilkinson
Y Channell	Y Geisinger	Y Lindsey	N Rynders	Y Willard
N Chapman	Y Glanton	Y Lumsden	Y Scott	Y Williams, A
Y Cheokas	Y Golick	Y Mabra	N Setzler	Y Williams, C
Y Clark, J	Y Gordon	Y Marin	Y Sharper	Y Williams, E
Y Clark, V	N Gravley	E Martin	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Maxwell	Y Sheldon	Y Yates
N Cooke	N Gregory	Y Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, the ayes were 147, nays 18.

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

House of Representatives
State Capitol, Room 220
Atlanta, Georgia 30334

February 1, 2013

The Honorable Robbie Rivers
House Clerk's Office
307 State Capitol

To Whom It May Concern:

I, Rep. Tom Rice, HD 95 would like to be registered/recorded as "Yes" for Senate Bill 24 on this day, February 1, 2013.

If you have any questions, please contact the office.

Sincerely,

/s/ Tom Rice

House of Representatives
State Capitol, Room 245
Atlanta, Georgia 30334

February 1, 2013

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

Dear Robbie:

On Senate Bill 24 that was before the House my intention and my physical vote was YES. My machine did not register. Please make my vote a YES on Senate Bill 24.

Sincerely,

/s/ Earl Ehrhart
Rep. Earl Ehrhart
District 36

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

HR 163. By Representatives Smyre of the 135th, Smith of the 134th, Hugley of the 136th, Buckner of the 137th and Pezold of the 133rd:

A RESOLUTION recognizing February 5, 2013, as Columbus Day at the state capitol and inviting Mayor Teresa Tomlinson, City Manager Isaiah Hugley, Chamber President and CEO Mike Gaymon, and Chamber Board Chairwoman Jacki Lowe to be recognized by the House of Representatives; and for other purposes.

HR 164. By Representatives Rutledge of the 109th, Welch of the 110th, Knight of the 130th, Strickland of the 111th, Yates of the 73rd and others:

A RESOLUTION recognizing and commending the Eagle's Landing Christian Academy football team on their outstanding 2012 season and inviting them to be recognized by the House of Representatives; and for other purposes.

HR 165. By Representatives McCall of the 33rd, Roberts of the 155th, England of the 116th, Jasperse of the 11th and Dickey of the 140th:

A RESOLUTION recognizing February 12, 2013, as Georgia Farm Bureau Federation Day at the state capitol and inviting members to be recognized by the House of Representatives; and for other purposes.

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

HR 109. By Representatives Jasperse of the 11th, Smith of the 134th, Allison of the 8th, Harden of the 148th, Kelley of the 16th and others:

A RESOLUTION recognizing the 4-H Clubs of Georgia and inviting Ms. Tifara Brown, Mr. Arch D. Smith, and the 2012-2013 4-H Leadership Team to be recognized by the House of Representatives; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 166. By Representatives Burns of the 159th and Hitchens of the 161st:

A RESOLUTION honoring the life and memory of Mr. George G. Allen; and for other purposes.

HR 167. By Representatives Powell of the 32nd, Buckner of the 137th, Burns of the 159th, McCall of the 33rd, Sims of the 169th and others:

A RESOLUTION honoring the life and memory of Rachel Fowler; and for other purposes.

HR 168. By Representative Benton of the 31st:

A RESOLUTION commending Mrs. Dawn Gary, Commerce City Schools Teacher of the Year; and for other purposes.

HR 169. By Representative Benton of the 31st:

A RESOLUTION commending Angela Clay, Commerce High School's 2013 STAR Teacher; and for other purposes.

HR 170. By Representative Benton of the 31st:

A RESOLUTION commending Rachael Andrews, Commerce High School's 2013 STAR Student; and for other purposes.

HR 171. By Representatives Beasley-Teague of the 65th, Brooks of the 55th, Thomas of the 56th, Talton of the 147th and Hugley of the 136th:

A RESOLUTION honoring the life and memory of Mr. Walker R. Johnson; and for other purposes.

HR 172. By Representatives Beasley-Teague of the 65th, Brooks of the 55th, Thomas of the 56th, Talton of the 147th and Hugley of the 136th:

A RESOLUTION honoring the life and memory of Sherry Rochelle Hopkins; and for other purposes.

HR 173. By Representatives Brooks of the 55th and Dukes of the 154th:

A RESOLUTION congratulating Bishop William "Bill" C. Harris on his 70th birthday; and for other purposes.

Representative O'Neal of the 146th moved that the House do now adjourn until 10:00 o'clock, A.M., Monday, February 4, 2013, and the motion prevailed.

Pursuant to the adjournment Resolution previously adopted by the House and Senate, the Speaker announced the House adjourned until 10:00 o'clock, A.M., Monday, February 4, 2013.