

Representative Hall, Atlanta, Georgia

Tuesday, January 28, 2014

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

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

Representatives Beverly of the 143rd, Jacobs of the 80th, Jones of the 53rd, Lindsey of the 54th, and Sims of the 169th.

They wished to be recorded as present.

Prayer was offered by Pastor Steve Hammack, Anchor Church, Loganville, Georgia.

The members pledged allegiance to the flag.

Representative Cheokas of the 138th, 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 # 601 CLOB
Atlanta, Georgia 30334

1/28/14

Office of the Clerk
House of Representatives
Atlanta, GA

Mr. Clerk,

On January 24, I advised your staff that I would be absent on January 27, due to my service on a DNR committee, and asked to be noted as Excused for the day. In reviewing the Journal for the 27th, I note that I was not listed as Excused. I request that the record for the 27th reflect my status as Excused. Thank you for your assistance.

Sincerely,

/s/ Chuck Williams

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 852. By Representative Gregory of the 34th:

A BILL to be entitled an Act to amend Article 10 of Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to absentee voting, so as to provide that any candidate in an election or primary shall be entitled to inspect and reproduce absentee ballots for a certain period of time after the election or primary; to provide for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 853. By Representatives Stover of the 71st, Ehrhart of the 36th, Smith of the 70th, Roberts of the 155th, McCall of the 33rd and others:

A BILL to be entitled an Act to amend Code Section 31-6-47 of the Official Code of Georgia Annotated, relating to exemptions from certificate of need requirements, so as to revise an exemption relating to mental health facilities; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

HB 854. By Representatives Dollar of the 45th, Strickland of the 111th, Fludd of the 64th and Atwood of the 179th:

A BILL to be entitled an Act to amend Article 3 of Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to condominiums, so as to change the amount permissible as a special assessment fee; 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 855. By Representatives Welch of the 110th, Willard of the 51st and Powell of the 171st:

A BILL to be entitled an Act to amend Article 2 of Chapter 70 of Title 36 of the Official Code of Georgia Annotated, relating to service delivery by counties and municipalities, so as to revise the procedures for the implementation of a local government service delivery strategy; to provide for conditions, limitation, and sanctions; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 856. By Representatives Sims of the 169th and Roberts of the 155th:

A BILL to be entitled an Act to provide a homestead exemption from Coffee County school district ad valorem taxes for educational purposes in the amount of 50 percent of the assessed value of the homestead for residents of that school district who are at least 65 but less than 70 years of age; to provide a homestead exemption from Coffee County School District ad valorem taxes for educational purposes for the full value of the assessed value of the homestead for residents of that school district who are 70 years of age or older; to provide that anyone who is receiving the first exemption of 50 percent shall receive the second full value exemption automatically upon reaching 70 years of age; 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 857. By Representative Sims of the 169th:

A BILL to be entitled an Act to amend an Act revising and reenacting the law creating a Board of Commissioners of Bacon County, approved April 4, 1991 (Ga. L. 1991, p. 4436), as amended, so as to remove the limitation regarding membership of the chairperson and commissioners on boards and authorities; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

- HB 858. By Representatives Smyre of the 135th, Smith of the 134th, Hugley of the 136th, Buckner of the 137th and Pezold of the 133rd:

A BILL to be entitled an Act to amend an Act authorizing the Recorder's Court of Columbus, Georgia, to impose and collect a technology fee for each fine imposed, approved May 7, 2013 (Ga. L. 2013, p. 4414), so as to increase the amount of such fee; to repeal an automatic repeal of such Act; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

- HB 859. By Representatives Smyre of the 135th, Smith of the 134th, Hugley of the 136th, Buckner of the 137th and Pezold of the 133rd:

A BILL to be entitled an Act to amend Code Section 48-2-15 of the Official Code of Georgia Annotated, relating to confidential information relative to revenue and taxation, so as to repeal provisions relating to the provision of certain information by the commissioner of revenue to the financial officer or taxing official of certain municipalities; to provide for the release of certain information by the commissioner to requesting counties and municipalities; to provide for confidentiality; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

- HB 860. By Representatives Smyre of the 135th, Smith of the 134th, Hugley of the 136th, Buckner of the 137th and Pezold of the 133rd:

A BILL to be entitled an Act to amend Part 1 of Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions relative to state sales and use tax, so as to provide that all sales tax point of sale data compiled by the Department of Revenue shall be made available to counties and municipalities; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

- HB 861. By Representatives Hightower of the 68th, Kelley of the 16th, Ramsey of the 72nd, Mabra of the 63rd, Evans of the 42nd 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 enact the "Georgia Student Religious Liberties Act of 2014"; to

provide for voluntary student expression of religious viewpoints in public schools; to provide that local school systems shall allow religious expression in class assignments; to provide that local school systems shall provide students with the freedom to organize religious groups and activities; to provide that local school systems shall provide a limited public forum for student speakers at nongraduation and graduation events; to provide a model policy for voluntary religious expression in public schools; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 862. By Representatives Geisinger of the 48th, Wilkinson of the 52nd, Dollar of the 45th, Martin of the 49th, Willard of the 51st and others:

A BILL to be entitled an Act to amend an Act providing in Fulton County a system for pension and retirement pay to teachers and employees of the Board of Education of Fulton County, approved February 2, 1945 (Ga. L. 1945, p. 528), as amended, so as to amend a certain definition; to correct an internal reference; to authorize the board of trustees to accept certain determinations of total disability; to authorize the board of trustees to adopt interim rules and regulations in certain circumstances; to provide for the automatic repeal of such rules and regulations; to provide for vesting under certain conditions; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 863. By Representatives Golick of the 40th, Ramsey of the 72nd, Hamilton of the 24th, Dudgeon of the 25th, Pak of the 108th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to general provisions relative to offenses against public health and morals, so as to change provisions relating to cruelty to animals and aggravated cruelty to animals; to provide for and change definitions; to clarify provisions relating to justification; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 864. By Representatives Caldwell of the 131st, Smith of the 134th, Buckner of the 137th, Smyre of the 135th and Hugley of the 136th:

A BILL to be entitled an Act to amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to the control of water pollution and surface water use, so as to regulate the return of surface water to the sources from which it was withdrawn by local government entities; to provide a short title; to require monthly reporting of water usage and returns; to provide for permit modifications in the event of unsatisfactory return percentages; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources & Environment.

HB 865. By Representative Houston of the 170th:

A BILL to be entitled an Act to amend an Act creating a board of elections and registration for Berrien County, approved May 5, 2005 (Ga. L. 2005, p. 3710), so as to provide for composition of the board and the selection and appointment of members; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 866. By Representatives Powell of the 171st and Watson of the 172nd:

A BILL to be entitled an Act to amend an Act recreating and establishing the Board of Commissioners of Colquitt County, approved March 22, 1974 (Ga. L. 1974, p. 3078), as amended, particularly by an Act approved March 12, 1986 (Ga. L. 1986, p. 3735), so as to change the regular meeting requirements; to provide that the board will hold one monthly meeting in each month; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 867. By Representative Kelley of the 16th:

A BILL to be entitled an Act to amend an Act creating a board of commissioners of roads and revenue in and for the County of Polk, approved August 19, 1919 (Ga. L. 1919, p. 719), as amended, so as to revise the place of meeting for the board; to provide for employment of a clerk by the board; to provide for public access to minutes; to provide for continuous service of the county attorney subject to the will of the board; to authorize the board to institute policies and procedures for requisition of supplies and payment of obligations; to require the board to provide certain financial statements upon request by the grand jury; to repeal an obsolete section; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 868. By Representatives Fludd of the 64th, Bruce of the 61st and Mosby of the 83rd:

A BILL to be entitled an Act to amend Code Section 45-18-2 of the Official Code of Georgia Annotated, relating to authority to establish state employees' health insurance plan, rules and regulations, general provisions of plan, and coverage for retiring and retired employees, so as to require the Board of Community Health to contract with at least two vendors to provide health insurance benefits under the state employees' health insurance plan; to provide for an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 869. By Representatives Yates of the 73rd, Powell of the 32nd, Roberts of the 155th, Kaiser of the 59th and Bell of the 58th:

A BILL to be entitled an Act to amend Code Section 40-6-20 of the Official Code of Georgia Annotated, relating to obedience to traffic-control devices, so as to provide for the safe operation of a motorcycle or lightweight motor vehicle through an inoperative traffic-control signal; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety & Homeland Security.

HR 1158. By Representatives Martin of the 49th, Parsons of the 44th and Geisinger of the 48th:

A RESOLUTION encouraging the Administration and Congress to establish a national energy policy that strengthens access to and removal of impediments to all available domestic sources of energy to improve its affordability and reliability; and for other purposes.

Referred to the Committee on Interstate Cooperation.

HR 1159. By Representatives Martin of the 49th, Parsons of the 44th and Geisinger of the 48th:

A RESOLUTION encouraging the Administration and Congress to establish a national energy policy that strengthens access to and removal of

impediments to all available domestic sources of energy to improve its affordability and reliability; and for other purposes.

Referred to the Committee on Interstate Cooperation.

HR 1160. By Representatives Kaiser of the 59th, Wilkinson of the 52nd, Waites of the 60th, Geisinger of the 48th, Brooks of the 55th and others:

A RESOLUTION honoring the life of Mr. Rodney Mims Cook and dedicating a road in his memory; and for other purposes.

Referred to the Committee on Transportation.

HR 1161. By Representatives Caldwell of the 131st, Golick of the 40th and Fleming of the 121st:

A RESOLUTION proposing an amendment to the Constitution so as to increase from three years to seven years the time for which a district attorney shall have been an active-status member of the State Bar of Georgia; to provide that any district attorney holding office on January 1, 2015, shall continue to be eligible to hold such office; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Judiciary.

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

HB 837	HB 838
HB 839	HB 840
HB 841	HB 842
HB 843	HB 844
HB 845	HB 846
HB 847	HB 848
HB 849	HB 850
HB 851	SB 297

Representative Meadows of the 5th District, Chairman of the Committee on Rules, submitted the following report:

Mr. Speaker:

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

SB 297 Do Pass

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

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

Representatives Mabra of the 63rd, Kidd of the 145th, Stovall of the 74th, Peake of the 141st, Rice of the 95th, Williamson of the 115th, Bentley of the 139th, Ballinger of the 23rd, and Dawkins-Haigler of the 91st.

Pursuant to HR 1162, the House recognized the 40th anniversary of the Consulate General of Japan in the Southeast and invited the Counsul General to be recognized by the House of Representatives.

Pursuant to HR 1132, the House commended George G. Andrews and invited him to be recognized by the House of Representatives.

Pursuant to HR 1114, the House commended the Cartersville High School baseball team on its accomplishments and invited the team to be recognized by the House of Representatives.

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

HR 1187. By Representatives Sims of the 123rd, Howard of the 124th, Frazier of the 126th, Prince of the 127th, Smith of the 125th and others:

A RESOLUTION recognizing the Medical College of Georgia at Georgia Regents University, this state's only public medical school and the founding college of Georgia Regents University, and inviting the representatives of the Medical College of Georgia at Georgia Regents University to be recognized by the House of Representatives; and for other purposes.

HR 1188. By Representatives Gardner of the 57th, Frazier of the 126th, Williams of the 119th, Lindsey of the 54th, Channell of the 120th and others:

A RESOLUTION commending the American Red Cross of Georgia and inviting its representatives to be recognized by the House of Representatives; and for other purposes.

HR 1189. By Representatives Carson of the 46th, Marin of the 96th, Dudgeon of the 25th, Allison of the 8th, Lindsey of the 54th and others:

A RESOLUTION recognizing February 26, 2014, as Boy Scout Day at the capitol and inviting a designee from each council of the Georgia Councils of the Boy Scouts of America to be recognized by the House of Representatives; 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 1163 Do Pass
HR 1165 Do Pass

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

HR 1163. By Representatives Ehrhart of the 36th and Setzler of the 35th:

A RESOLUTION recognizing and commending Kennesaw State University's 50th anniversary and its many contributions to the State of Georgia and higher education and inviting the people of Kennesaw State University to be recognized by the House of Representatives; and for other purposes.

HR 1165. By Representatives Tanner of the 9th and Ralston of the 7th:

A RESOLUTION commending the University of North Georgia, recognizing January 29, 2014, as University of North Georgia Day at the state capitol, and inviting students to be recognized by the House of Representatives; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 1190. By Representatives Abrams of the 89th, Ralston of the 7th, Hugley of the 136th, O'Neal of the 146th, Dawkins-Haigler of the 91st and others:

A RESOLUTION commending Representative Calvin Smyre for his induction into the International Civil Rights Walk of Fame; and for other purposes.

HR 1191. By Representatives Smyre of the 135th, Hugley of the 136th, Smith of the 134th, Buckner of the 137th and Pezold of the 133rd:

A RESOLUTION recognizing and commending South Columbus United Methodist Church on the occasion of its 72nd anniversary; and for other purposes.

HR 1192. By Representative Dudgeon of the 25th:

A RESOLUTION recognizing and commending Andrew Hancock; and for other purposes.

HR 1193. By Representative Dudgeon of the 25th:

A RESOLUTION recognizing and commending Aubrey Haley; and for other purposes.

HR 1194. By Representatives Brooks of the 55th and Thomas of the 56th:

A RESOLUTION honoring the life and memory of Portia A. Scott; and for other purposes.

HR 1195. By Representative Brooks of the 55th:

A RESOLUTION honoring the life and memory of Christopher Tobian Artis; and for other purposes.

HR 1196. By Representatives Carson of the 46th and Parsons of the 44th:

A RESOLUTION recognizing and commending Joshua Bouland; and for other purposes.

Representative O'Neal of the 146th moved that the House do now adjourn until 1:00 o'clock, tomorrow afternoon, and the motion prevailed.

The Speaker announced the House adjourned until 1:00 o'clock, tomorrow afternoon.