

Representative Hall, Atlanta, Georgia

Thursday, March 13, 2014

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

Due to a mechanical malfunction, Representative Greene of the 151st was not recorded on the attendance roll call. He wished to be recorded as present.

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

Representatives Anderson of the 92nd, Beverly of the 143rd, Bruce of the 61st, Setzler of the 35th, Smith of the 134th, and Talton of the 147th.

They wished to be recorded as present.

Prayer was offered by Dr. Don Hattaway, Senior Pastor, Tabernacle Baptist Church, Cartersville, 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.

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 Resolutions of the House were introduced, read the first time and referred to the Committees:

HR 1804. By Representatives Morgan of the 39th, Smith of the 41st, Evans of the 42nd, Clark of the 101st and Hugley of the 136th:

A RESOLUTION encouraging the State Board of Education to accept dance classes as credit for fulfilling physical education course requirements; and for other purposes.

Referred to the Committee on Education.

HR 1805. By Representatives Powell of the 32nd, Rice of the 95th and Taylor of the 173rd:

A RESOLUTION creating the House Study Committee on DUI Recidivism and Driver's License Suspensions and Reinstatements; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HR 1828. By Representative Pruett of the 149th:

A RESOLUTION creating the House Study Committee on Aviation and Jobs; and for other purposes.

Referred to the Committee on State Planning & Community Affairs.

By unanimous consent, the rules were suspended in order that the following Resolutions of the House could be introduced, read the first time and referred to the Committees:

HR 1831. By Representatives Kirby of the 114th, Caldwell of the 20th, Turner of the 21st and Kelley of the 16th:

A RESOLUTION creating the House Study Committee on Municipal Gas Systems in Georgia; and for other purposes.

Referred to the Committee on Energy, Utilities & Telecommunications.

HR 1832. By Representatives Dutton of the 157th, Harbin of the 122nd, Cooke of the 18th, Dudgeon of the 25th, Pezold of the 133rd and others:

A RESOLUTION petitioning the Congress of the United States to adopt an amendment to the Constitution of the United States, for submission to the states, to require, with certain exceptions, that the federal budget be balanced; or, in the alternative, to call a convention for the sole and exclusive purpose of proposing a federal balanced budget amendment for submission to the states for ratification; and for other purposes.

Referred to the Committee on Judiciary.

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

HB 1147
SB 420
SB 423
SB 425

HR 1771
SB 421
SB 424

Representative Casas of the 107th District, Chairman of the Committee on Code Revision, submitted the following report:

Mr. Speaker:

Your Committee on Code Revision 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 340 Do Pass, by Substitute

Respectfully submitted,
/s/ Casas of the 107th
Chairman

Representative Tankersley of the 160th District, Chairman of the Committee on Intragovernmental Coordination, submitted the following report:

Mr. Speaker:

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

HB 1115 Do Pass
HB 1146 Do Pass
SB 418 Do Pass

Respectfully submitted,
/s/ Tankersley of the 160th
Chairman

Representative Weldon of the 3rd District, Chairman of the Committee on Juvenile Justice, submitted the following report:

Mr. Speaker:

Your Committee on Juvenile Justice 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 364 Do Pass, by Substitute

Respectfully submitted,
/s/ Weldon of the 3rd
Chairman

Representative Sims of the 123rd District, Chairman of the Committee on State Properties, submitted the following report:

Mr. Speaker:

Your Committee on State Properties 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 274 Do Pass

Respectfully submitted,
/s/ Sims of the 123rd
Chairman

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

HOUSE RULES CALENDAR
THURSDAY, MARCH 13, 2014

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 38th Legislative Day as enumerated below:

DEBATE CALENDAR

Open Rule

HR 689 Local boards of education; implement renewable energy systems to provide educational and cost-saving opportunities; urge (Ed-Drenner-85th)

HR 1185 Green Apple Day of Service; state-wide participation; encourage (NR&E-Drenner-85th)

Modified Open Rule

HR 1722 House Study Committee on Medical Education; create (HEd-Parrish-158th)
 SB 292 Alzheimer's Disease Registry; establish within the Department of Public Health (HumR-Benton-31st) Unterman-45th
 SB 361 Georgia Geospatial Advisory Council; create (NR&E-Knight-130th) Carter-1st

Modified Structured Rule

SB 95 Elections; counties utilize a chief executive officer/county commission form of government; nonpartisan elections (Substitute)(GAff-Jacobs-80th) Millar-40th (AM# 29 2304)
 SB 382 Theft; provide for the crime of retail theft; penalties (Substitute)(JudyNC-Atwood-179th) Mullis-53rd
 SR 788 Property Conveyance; authorizing 13 counties (Substitute)(SProp-Dunahoo-30th) Albers-56th

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

By unanimous consent, the following Bills of the House and Senate were taken up for consideration and read the third time:

HB 1115. By Representatives Geisinger of the 48th, Dudgeon of the 25th, Jones of the 47th, Lindsey of the 54th, Rice of the 95th and others:

A BILL to be entitled an Act to amend an Act creating one or more community improvement districts in unincorporated Fulton County and within each municipality therein, approved April 3, 1987 (Ga. L. 1987, p. 5460), as amended, particularly by an Act approved April 2, 1998 (Ga. L. 1998, p. 4065), as amended, so as to change certain definitions; to change

certain provisions regarding written consent of property owners; to change provisions relating to the appointment of district board members; to provide for an effective date and applicability; 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.

HB 1146. By Representatives Burns of the 159th and Hitchens of the 161st:

A BILL to be entitled an Act to amend an Act to reconstitute the board of education for the Effingham County School District, approved March 26, 1987 (Ga. L. 1987, p. 4596), as amended, so as to change the compensation for members of the board; to provide for related matters; to provide for an effective date; 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.

SB 418. By Senator Mullis of the 53rd:

A BILL to be entitled an Act to provide a new charter for the City of Chickamauga in Walker County, Georgia; to provide for other matters relative to the foregoing; to provide for severability; to repeal a specific Act; 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.

By unanimous consent, the following roll call vote was made applicable to the previously read Bills.

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

Y Abrams	Y Coomer	Gregory	Y McCall	Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y Harbin	Y Meadows	Y Smith, L
Anderson	Y Deffenbaugh	Y Harden	Y Mitchell	Y Smith, M
Y Atwood	Y Dempsey	Harrell	Y Moore	Y Smith, R
Y Ballinger	E Dickerson	Y Hatchett	Y Morgan	Y Smyre
Y Barr	Y Dickey	Y Hawkins	Morris	E Spencer
Battles	Y Dickson	Y Henson	Y Mosby	Y Stephens, M
Beasley-Teague	Y Dollar	Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Nix	Y Stephenson
Y Bennett	Y Drenner	Y Holcomb	Y Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Stover

Y Benton	Y Dukes	Holt	Y Pak	Y Strickland
Y Beverly	Y Dunahoo	Y Houston	Y Parrish	Talton
Y Black	Y Duncan	Y Howard	Y Parsons	Y Tankersley
Y Braddock	Y Dutton	Y Hugley	Y Peake	Y Tanner
Y Broadrick	Y Efrstration	Y Jackson	Y Pezold	Y Tarvin
Y Brockway	Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	Epps, C	Y Jones, J	Y Prince	Y Teasley
Bryant	Y Epps, J	N Jones, L	Pruett	Y Thomas, A.M.
Y Buckner	Y Evans	E Jones, S	Y Quick	Y Turner
Y Burns	Y Fleming	Y Jordan	Y Ramsey	Y Waites
Y Caldwell, J	Floyd	Y Kaiser	Y Randall	Y Watson, B
Y Caldwell, M	Fludd	Y Kelley	Rice	Y Watson, S
Y Carson	Y Frazier	Y Kendrick	E Riley	Y Welch
Y Carter	Y Frye	Y Kidd	Y Roberts	Y Weldon
E Casas	Y Fullerton	Y Kirby	Y Rogers, C	Y Wilkerson
E Chandler	Y Gardner	Y Knight	Y Rogers, T	Y Wilkinson
Y Channell	Y Gasaway	Y Lindsey	Y Rutledge	Y Willard
Y Chapman	Y Geisinger	Y Lumsden	Rynders	Y Williams, A
Y Cheokas	Y Glanton	Y Mabra	Y Scott	Y Williams, C
Y Clark, J	E Golick	Y Marin	Y Setzler	Y Williams, E
Y Clark, V	Y Gordon	Y Martin	Y Sharper	E Williamson
Y Coleman	Y Gravley	Y Maxwell	Y Shaw	Y Yates
Y Cooke	Greene	Y Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bills, the ayes were 149, nays 1.

The Bills, having received the requisite constitutional majority, were passed.

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

Mr. Speaker:

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

SB 389. By Senators McKoon of the 29th and Harbison of the 15th:

A BILL to be entitled an Act to amend an Act establishing the Municipal Court of Columbus, Georgia, approved August 12, 1915 (Ga. L. 1915, p. 63), as amended, particularly by an Act approved April 21, 1997 (Ga. L. 1997, p. 4271), so as to change fees and costs and the provisions relating thereto; to impose a technology fee for the service of dispossessory warrants; to repeal conflicting laws; and for other purposes.

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

HB 702. By Representatives Morris of the 156th, Battles of the 15th and Nix of the 69th:

A BILL to be entitled an Act to amend Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to state flag, seal, and other symbols, so as to provide for placement of a monument depicting the Ten Commandments, Preamble to the state Constitution, and Preamble to the United States Constitution; to repeal conflicting laws; and for other purposes.

HB 763. By Representatives Epps of the 144th, Wilkinson of the 52nd, Cheokas of the 138th, Kidd of the 145th, Peake of the 141st and others:

A BILL to be entitled an Act to amend Part 2 of Article 9 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to funding, donations, property, and scholarships with respect to the Georgia Military College, so as to revise legislative intent language regarding certain postsecondary study beyond the second year level; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 904. By Representative McCall of the 33rd:

A BILL to be entitled an Act to amend Code Section 12-2-2 of the Official Code of Georgia Annotated, relating to permit applications and appeals procedures relative to laws enforced by the Environmental Protection Division of the Department of Natural Resources, so as to establish that persons are not aggrieved by listings on the hazardous site inventory that occur after a certain date; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 999. By Representatives Efstoration of the 104th and Brockway of the 102nd:

A BILL to be entitled an Act to amend an Act to create a new charter for the City of Dacula, approved February 21, 1978 (Ga. L. 1978, p. 3040), as amended, so as to change the corporate boundaries of the city; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1028. By Representatives Setzler of the 35th, Golick of the 40th, Ehrhart of the 36th, Cooper of the 43rd, Carson of the 46th and others:

A BILL to be entitled an Act to amend an Act creating the Board of Commissioners of Cobb County, approved June 19, 1964 (Ga. L. 1964, Ex. Sess., p. 2075), as amended, particularly by an Act approved May 30, 2003

(Ga. L. 2003, p. 3808), 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 and terms of office of subsequent members; to repeal conflicting laws; and for other purposes.

HB 1090. By Representative Greene of the 151st:

A BILL to be entitled an Act to provide a new charter for the City of Arlington, Georgia; to provide for incorporation, boundaries, and powers of the city; to provide for severability; to repeal a specific Act; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 1092. By Representatives Yates of the 73rd, Fludd of the 64th and Mabra of the 63rd:

A BILL to be entitled an Act to amend an Act creating the Fayette County Public Facilities Authority, approved March 13, 1978 (Ga. L. 1978, p. 3377), so as to grant the authority power with regard to storm-water management systems; to repeal conflicting laws; and for other purposes.

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

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.

HB 933. By Representatives Atwood of the 179th, Knight of the 130th, Stephens of the 164th, Williams of the 168th, Watson of the 166th and others:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use taxes, so as to remove the sunset for the exemption regarding the sale or use of certain property used in the maintenance or repair of certain aircraft; to repeal conflicting laws; and for other purposes.

HB 958. By Representatives Nimmer of the 178th, Coomer of the 14th, Riley of the 50th, England of the 116th, Harbin of the 122nd and others:

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 certain provisions relating to the state income tax credit for qualified entertainment production companies; to provide for a new exemption from state sales and use taxes to qualified food banks; to provide for a new exemption from state sales and use taxes for covered items on specified dates; to provide a new exemption for purchase of energy efficient products or water efficient products to extend the exemption from state sales and use taxes for competitive projects of regional significance; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

HB 1080. By Representatives Smyre of the 135th, Brooks of the 55th, O`Neal of the 146th, Abrams of the 89th, Wilkinson of the 52nd and others:

A BILL to be entitled an Act to amend Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to state flag, seal, and other symbols, so as to provide for placement of a statue of the Reverend Martin Luther King, Jr.; to repeal conflicting laws; and for other purposes.

HB 1105. By Representative Pruett of the 149th:

A BILL to be entitled an Act to repeal the amendment to the Constitution of Georgia providing that the county officers of Telfair County shall be ineligible to hold office under certain conditions; to provide for a referendum with respect to the effectiveness of the foregoing; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

By unanimous consent, the following Bill of the Senate was read the first time and referred to the Committee:

SB 389. By Senators McKoon of the 29th and Harbison of the 15th:

A BILL to be entitled an Act to amend an Act establishing the Municipal Court of Columbus, Georgia, approved August 12, 1915 (Ga. L. 1915, p. 63), as amended, particularly by an Act approved April 21, 1997 (Ga. L. 1997, p. 4271), so as to change fees and costs and the provisions relating thereto; to impose a technology fee for the service of dispossessory warrants; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

Representative O`Neal of the 146th assumed the chair.

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

Representatives Abrams of the 89th, Drenner of the 85th, Gravley of the 67th, Kidd of the 145th, Brockway of the 102nd, Dickey of the 140th et al., Martin of the 49th, Dukes of the 154th et al., Kaiser of the 59th, Pruett of the 149th, and England of the 116th et al.

Pursuant to HR 1243, the House commended the Milton High School Baseball Team on its numerous accomplishments and invited the team to be recognized by the House of Representatives.

The Speaker assumed the Chair.

Pursuant to HR 1694, the House recognized March 13, 2014, as Civil Air Patrol Day at the capitol, commended the volunteers of the Civil Air Patrol for their service to the citizens of Georgia, and invited them to be recognized by the House of Representatives.

Pursuant to HR 1645, the House recognized March 13, 2014, as Girl Scout Day at the state capitol and invited representatives from the Girl Scouts of America organization to be recognized by the House of Representatives.

Pursuant to HR 1806, the House commended Elaine Myers and congratulated her upon her retirement.

Under the general order of business, established by the Committee on Rules, the following Bills and Resolutions of the House and Senate were taken up for consideration and read the third time:

HR 1722. By Representatives Parrish of the 158th, Stephens of the 164th, Channell of the 120th and Gardner of the 57th:

A RESOLUTION creating the House Study Committee on Medical Education; and for other purposes.

The report of the Committee, which was favorable to the adoption of the Resolution, was agreed to.

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

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

On the adoption of the Resolution, the ayes were 164, nays 3.

The Resolution, having received the requisite constitutional majority, was adopted.

HR 1185. By Representatives Drenner of the 85th, Kaiser of the 59th, Henson of the 86th, Abrams of the 89th, Coleman of the 97th and others:

A RESOLUTION encouraging state-wide participation in Green Apple Day of Service; and for other purposes.

The report of the Committee, which was favorable to the adoption of the Resolution, was agreed to.

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

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

On the adoption of the Resolution, the ayes were 162, nays 3.

The Resolution, having received the requisite constitutional majority, was adopted.

SB 361. By Senators Carter of the 1st and Jeffares of the 17th:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to general provisions relative to water resources, so as to create the Georgia Geospatial Advisory Council; to provide for its members and purposes; to provide for reports; to

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

On the passage of the Bill, the ayes were 148, nays 20.

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

SB 382. By Senators Mullis of the 53rd, Chance of the 16th and Jones of the 25th:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft, so as to provide for the crime of retail theft; to provide for penalties; to provide for related matters; to provide for an effective date and for applicability; 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 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft, so as to provide for the crime of refund fraud; to provide for penalties; to amend Code Sections 15-10-260, 35-3-37, and 36-32-9 and Title 51 of the Official Code of Georgia Annotated, relating to jurisdiction for trials of certain misdemeanors in magistrate courts, review of criminal history record information, municipal court jurisdiction of misdemeanor theft by shoplifting, and torts, respectively, so as to provide for jurisdiction of refund fraud cases for such courts; to provide for conformity with laws applicable to shoplifting; to increase the liquidated damages amount for property that is willfully damaged or taken; to provide for related matters; to provide for an effective date and for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft, is amended by adding a new Code section to read as follows:

"16-8-14.1.

(a)(1) It shall be unlawful for a person to give a false or fictitious name or address or to give the name or address of another person without that person's approval or permission for the purpose of obtaining a refund from a store or retail establishment for merchandise.

(2) It shall be unlawful for a person to obtain a refund in the form of cash, check, credit on a credit or debit card, a merchant gift card, or credit in any other form from a store or retail establishment using a driver's license not issued to such person, a driver's license containing false information, an identification card containing false information, an altered identification card, or an identification card not issued to such person.

(b) A person who violates subsection (a) of this Code section shall be guilty of refund fraud and, upon conviction, except as provided in subsection (c) of this Code section, shall:

(1) When the property which was the subject of the fraud is \$500.00 or less in value, be punished as for a misdemeanor;

(2) When the property which was the subject of the fraud exceeds \$500.00 in value, be guilty of a felony and shall be punished by imprisonment for not less than one nor more than ten years;

(3) When the property which was the subject of the fraud is taken from three separate stores or retail establishments within one county during a period of seven days or less and when the aggregate value of the property which was the subject of each fraud exceeds \$500.00 in value, be guilty of a felony and shall be punished by imprisonment for not less than one nor more than ten years; and

(4) When the property which was the subject of the fraud is taken during a period of 180 days and when the aggregate value of the property which was the subject of each fraud exceeds \$500.00 in value, be guilty of a felony and shall be punished by imprisonment for not less than one nor more than ten years.

(c)(1) Upon conviction of a second offense for a violation of any provision of this Code section, in addition to or in lieu of any imprisonment which might be imposed, the defendant shall be fined not less than \$500.00, and the fine shall not be suspended or probated;

(2) Upon conviction of a third offense for a violation of any provision of this Code section, the defendant shall be guilty of a felony and, in addition to or in lieu of any fine which might be imposed, the defendant shall be punished by imprisonment for not less than 30 days or confinement in a 'special alternative incarceration–probation boot camp,' probation detention center, diversion center, or other community correctional facility of the Department of Corrections for a period of 120 days or shall be sentenced to monitored house arrest for a period of 120 days and, in addition to either such types of confinement, may be required to undergo psychological evaluation and treatment to be paid for by the defendant; and such sentence of imprisonment or confinement shall not be suspended, probated, deferred, or withheld; and

(3) Upon conviction of a fourth or subsequent offense for a violation of any provision of this Code section, the defendant shall be guilty of a felony and shall be punished by imprisonment for not less than one nor more than ten years; and the first year of such sentence shall not be suspended, probated, deferred, or withheld;

(d) In all cases involving refund fraud, the term 'value' means the actual retail price of the property at the time and place of the offense. The unaltered price tag or other marking on property, or duly identified photographs thereof, shall be prima-facie evidence of value and ownership of the property.

(e) Subsection (b) of this Code section shall not affect the authority of a judge to provide for a sentence to be served on weekends or during the nonworking hours of the

defendant as provided in Code Section 17-10-3, relative to punishment for misdemeanors."

PART II
SECTION 2-1.

Code Section 15-10-260 of the Official Code of Georgia Annotated, relating to jurisdiction and penalties for trials of certain misdemeanors in magistrate courts, is amended by revising subsections (a) and (c) as follows:

"(a) This article governs trials of misdemeanor violations of Code Sections 16-13-30, ~~and 16-13-2, relating to possession of less than one ounce of marijuana; Code Section 16-8-14, 16-8-14.1, relating to misdemeanor theft by shoplifting; Code Section 3-3-23, relating to furnishing alcoholic beverages to, and purchase and possession of alcoholic beverages by, a person under 21 years of age; and Code Section 16-7-21, relating to criminal trespass."~~

"(c) A person convicted of violation of a misdemeanor specified in subsection (a) of this Code section shall be punished as provided in paragraphs (1) through (4) of this subsection as follows:

- (1) For possession of less than one ounce of marijuana, as provided in subsection (b) of Code Section 16-13-2;
- (2) For misdemeanor theft by shoplifting, as provided in paragraph (1) of subsection (b) of Code Section 16-8-14;
- (3) For misdemeanor refund fraud, as provided in paragraph (1) of subsection (b) of Code Section 16-8-14.1;
- ~~(4) (3)~~ For furnishing alcoholic beverages to, and purchase and possession of alcoholic beverages by, a person under 21 years of age, as provided in Code Section 3-3-23.1; and
- ~~(5) (4)~~ For criminal trespass, as provided in subsection (d) of Code Section 16-7-21."

SECTION 2-2.

Code Section 35-3-37 of the Official Code of Georgia Annotated, relating to review of individual's criminal history record information, is amended by revising division (j)(4)(B)(xi), as follows:

"(xi) Theft in violation of Chapter 8 of Title 16; provided, however, that such prohibition shall not apply to a misdemeanor conviction of shoplifting or refund fraud in violation of Code Section 16-8-14 or 16-8-14.1, as applicable; or"

SECTION 2-3.

Code Section 36-32-9 of the Official Code of Georgia Annotated, relating to municipal court jurisdiction of misdemeanor theft by shoplifting, is amended by revising subsections (a) through (c) as follows:

"(a) The municipal court is granted jurisdiction to try and dispose of cases in which a person is charged with a misdemeanor theft by shoplifting or misdemeanor refund fraud

if the offense occurred within the corporate limits of the municipality. The jurisdiction of such court shall be concurrent with the jurisdiction of any other courts within the county having jurisdiction to try and dispose of such cases.

(b) Any person charged in a municipal court with misdemeanor theft by shoplifting or misdemeanor refund fraud shall be entitled upon request to have the case against him or her transferred to the court having general misdemeanor jurisdiction in the county in which the alleged offense occurred.

(c)(1) A person convicted in a municipal court of misdemeanor theft by shoplifting shall be punished as provided in paragraph (1) of subsection (b) of Code Section 16-8-14, provided that nothing in this Code section or Code Section 16-8-14 shall be construed to give any municipality the right to impose a fine or punishment by imprisonment in excess of the limits as set forth in the municipality's charter.

(2) A person convicted in a municipal court of misdemeanor refund fraud shall be punished as provided in the misdemeanor penalties set forth in Code Section 16-8-14.1, provided that nothing in this Code section or Code Section 16-8-14.1 shall be construed to give any municipality the right to impose a fine or punishment by imprisonment in excess of the limits as set forth in the municipality's charter."

SECTION 2-4.

Title 51 of the Official Code of Georgia Annotated, relating to torts, is amended by revising Code Section 51-7-60, relating to preclusion of recovery for detention or arrest of person suspected of shoplifting under certain circumstances, as follows:

"51-7-60.

Whenever the owner or operator of a mercantile establishment or any agent or employee of the owner or operator detains, arrests, or causes to be detained or arrested any person reasonably thought to be engaged in shoplifting or refund fraud and, as a result of the detention or arrest, the person so detained or arrested brings an action for false arrest or false imprisonment against the owner, operator, agent, or employee, no recovery shall be had by the plaintiff in such action where it is established by competent evidence:

(1) That the plaintiff had so conducted himself or herself or behaved in such manner as to cause a ~~man~~ person of reasonable prudence to believe that the plaintiff, at or immediately prior to the time of the detention or arrest, was committing the offense of shoplifting, as defined by Code Section 16-8-14, or refund fraud as defined in Code Section 16-8-14; or

(2) That the manner of the detention or arrest and the length of time during which such plaintiff was detained was under all the circumstances reasonable."

SECTION 2-5.

Said title is further amended by revising paragraph (2) of subsection (a) and subsection (c) of Code Section 51-10-6, relating to owner's right of action for damage to or theft involving personal property, as follows:

"(2) In any such action in which the value of the total claim, including exemplary damages, is less than \$5,000.00, the property owner may recover compensatory damages, as described in paragraph (1) of this subsection, and additionally may recover liquidated exemplary damages equal to ~~\$150.00 or twice \$300.00~~ or triple the amount of the entire loss sustained by the property owner as a result of the willful damage or theft offense, whichever is greater, and the cost of maintaining the civil action if all of the following apply:

(A) The property owner, at least 30 days prior to the filing of the action, provided written notice of a demand by personal delivery or certified mail or statutory overnight delivery, return receipt requested, for payment of the value of that personal property, the amount of any other loss sustained as a result of the willful damage or theft offense, and the liquidated exemplary damages set out in this paragraph upon the person who willfully damaged the property or who committed the theft offense;

(B) Either the person who willfully damaged the personal property or who committed the theft offense did not make payment to the property owner of the amount specified in the demand within 30 days after the date of receipt of the written demand or did not enter into an agreement with the property owner during that 30 day period for such payment, or the person who willfully damaged the personal property or who committed the theft offense entered into an agreement with the property owner during that 30 day period for such payment but the person did not make such payment in accordance with the terms of the agreement; and

(C) The property owner did not file a civil complaint against the person who willfully damaged the personal property or who committed the theft offense prior to the expiration of 30 days after the date of service of the written demand upon the person, or, if the person had entered into an agreement with the property owner during that 30 day period for payment, prior to the day on which the person failed to make payment in accordance with the terms of the agreement, whichever is applicable."

"(c) For purposes of paragraph (2) of subsection (a) of this Code section, written notice of demand for payment shall be substantially as follows:

'Upon reasonable cause, notice is given of (my) (our) demand for payment of damages in the amount of (state amount claimed: total should be ~~\$150.00 or twice \$300.00~~ or triple the amount of the entire loss sustained by the property owner as a result of the willful damage or theft offense, whichever is greater) arising out of your (willful damage, theft, or unlawful conversion) of the following personal property owned by (the undersigned or other owner):

(List affected property) _____

Pursuant to Code Section 51-10-6 of the Official Code of Georgia Annotated, you are further notified that if the above-stated amount is not paid, or a written agreement as to its payment is not reached, within 30 days of the date you receive this letter, (I

(we) (other owner) intend to bring an action against you for such amount, plus attorney's fees, plus court costs, and such other relief as the law provides.

_____ "

PART III
SECTION 3-1.

This Act shall become effective on July 1, 2014, and shall apply to all conduct occurring on or after such date.

SECTION 3-2.

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:

Y Abrams	Y Coomer	N Gregory	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	N Dawkins-Haigler	Y Harbin	Y Meadows	Y Smith, L
Y Anderson	Y Deffenbaugh	Y Harden	Y Mitchell	N Smith, M
Y Atwood	Y Dempsey	Y Harrell	N Moore	Y Smith, R
Y Ballinger	E Dickerson	Y Hatchett	Morgan	Y Smyre
Y Barr	Y Dickey	Y Hawkins	Y Morris	E Spencer
Y Battles	Y Dickson	Y Henson	Y Mosby	Y Stephens, M
Y Beasley-Teague	Y Dollar	Y Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	N Stephenson
Y Bennett	Y Drenner	Y Holcomb	Y Oliver	Y Stovall
Y Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Stover
Y Benton	Y Dukes	Y Holt	Y Pak	Y Strickland
Y Beverly	Y Dunahoo	Y Houston	Y Parrish	Y Talton
Y Black	Y Duncan	Y Howard	Y Parsons	Y Tankersley
Y Braddock	Y Dutton	Y Hugley	Y Peake	Y Tanner
Y Broadrick	Y Efrstration	Y Jackson	Y Pezold	N Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	Y Epps, C	Y Jones, J	Y Prince	Y Teasley
Y Bryant	Epps, J	N Jones, L	Y Pruett	Y Thomas, A.M.
Y Buckner	Y Evans	E Jones, S	Y Quick	N Turner
Y Burns	Y Fleming	Y Jordan	Y Ramsey	Y Waites
Y Caldwell, J	Y Floyd	Y Kaiser	Y Randall	Y Watson, B
Y Caldwell, M	Y Fludd	Y Kelley	Y Rice	Y Watson, S
Y Carson	Y Frazier	Y Kendrick	Y Riley	Y Welch
Y Carter	Y Frye	Y Kidd	Y Roberts	Y Weldon
E Casas	Y Fullerton	Y Kirby	Y Rogers, C	Y Wilkerson
Y Chandler	Y Gardner	Y Knight	Y Rogers, T	Y Wilkinson
Y Channell	Y Gasaway	Y Lindsey	Y Rutledge	Willard

Y Chapman	Y Geisinger	Y Lumsden	Y Rynders	Y Williams, A
Y Cheokas	Y Glanton	Mabra	N Scott	Y Williams, C
Y Clark, J	E Golick	Y Marin	Y Setzler	Y Williams, E
Y Clark, V	Y Gordon	Y Martin	Y Sharper	E Williamson
Y Coleman	Y Gravley	Y Maxwell	Y Shaw	Y Yates
Y Cooke	Y Greene	Y Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 159, nays 9.

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

SB 95. By Senators Millar of the 40th, Staton of the 18th, Shafer of the 48th and Cowsert of the 46th:

A BILL to be entitled an Act to amend Article 2 of Chapter 5 of Title 36 of the Official Code of Georgia Annotated, relating to county governing authorities, and Code Section 21-2-139 of the Official Code of Georgia Annotated, relating to the authorization for and conduct of nonpartisan elections, so as to provide that, in counties that utilize a chief executive officer/county commission form of government, all elections for the chief executive officer shall be conducted on a nonpartisan basis; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 5 of Title 36 of the Official Code of Georgia Annotated, relating to county governing authorities, and Code Section 21-2-139 of the Official Code of Georgia Annotated, relating to the authorization for and conduct of nonpartisan elections, so as to provide that, in counties that utilize a chief executive officer/county commission form of government, all elections for the chief executive officer, when such chief executive officer is not a member of the board of commissioners, shall be conducted on a nonpartisan basis; to amend Code Section 45-5-6 of the Official Code of Georgia Annotated, relating to public official investigated by special commission upon indictment, gubernatorial review if commission recommends suspension, reinstatement, and replacement officer, so as to provide for the appointment of a temporary replacement officer under certain circumstances; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 5 of Title 36 of the Official Code of Georgia Annotated, relating to county governing authorities, is amended by revising Code Section 36-5-23, which was previously reserved, as follows:

"36-5-23.

Reserved Notwithstanding any local law to the contrary, in counties that utilize a chief executive officer/county commission form of government, the election of the chief executive officer, when such chief executive officer is not a member of the board of commissioners, shall be conducted on a nonpartisan basis. This Code section shall not affect the term of office of any chief executive officer in office on the effective date of this Code section, but shall apply to the next election to fill such office."

SECTION 2.

Code Section 21-2-139 of the Official Code of Georgia Annotated, relating to the authorization for and conduct of nonpartisan elections, is amended by revising subsection (a) as follows:

"(a) Notwithstanding any other provisions of this chapter to the contrary, the General Assembly may provide by local Act for the election in nonpartisan elections of candidates to fill county judicial offices, offices of local school boards, offices of chief executive officers of county governing authorities utilizing a chief executive officer/county commission form of government, when such chief executive officer is not a member of the board of commissioners, and offices of consolidated governments which are filled by the vote of the electors of said county or political subdivision. Except as otherwise provided in this Code section, the procedures to be employed in such nonpartisan elections shall conform as nearly as practicable to the procedures governing nonpartisan elections as provided in this chapter. Except as otherwise provided in this Code section, the election procedures established by any existing local law which provides for the nonpartisan election of candidates to fill county offices shall conform to the general procedures governing nonpartisan elections as provided in this chapter, and such nonpartisan elections shall be conducted in accordance with the applicable provisions of this chapter, notwithstanding the provisions of any existing local law. For those offices for which the General Assembly, pursuant to this Code section, provided by local Act for election in nonpartisan primaries and elections, such offices shall no longer require nonpartisan primaries. Such officers shall be elected in nonpartisan elections held and conducted in conjunction with the general primary in even-numbered years in accordance with this chapter without a prior nonpartisan primary. This Code section shall apply to all nonpartisan elections for members of consolidated governments. All nonpartisan elections for members of consolidated governments shall be governed by the provisions of this Code section and shall be considered county elections and not municipal elections for the purposes of this Code

section. Nonpartisan elections for municipal offices shall be conducted on the dates provided in the municipal charter."

SECTION 3.

Code Section 45-5-6 of the Official Code of Georgia Annotated, relating to public official investigated by special commission upon indictment, gubernatorial review if commission recommends suspension, suspension, reinstatement, and replacement officer, is amended by adding a new subsection to read as follows:

"(j) Unless otherwise provided by local law, in the event the Governor appoints a member of a governing authority as a temporary replacement for a suspended public official under paragraph (1) of subsection (d) of this Code section, the member of the governing authority so appointed shall nominate three qualified persons from whom the governing authority, by majority vote of its remaining members, shall select a temporary replacement to fill such member's seat on the governing authority until such time as the suspension of the public official is terminated or the end of such member's current term on the governing authority, whichever is earlier. The member making the nominations shall not vote on the selection of such temporary replacement."

SECTION 4.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval, and Section 3 shall apply to all persons serving as temporary replacements for suspended public officials on the effective date of this Act as well as all persons appointed as temporary replacements for suspended public officials on and after the effective date of this Act.

SECTION 5.

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

The following amendment was read and adopted:

Representative Abrams of the 89th offers the following amendment:

Amend the House Committee on Governmental Affairs substitute to SB 95 (LC 28 7193S) by replacing lines 61 through 67 with the following:

paragraph (1) of subsection (d) of this Code section, the governing authority, by majority vote, shall select a temporary replacement who is qualified by law to serve as such member of the governing authority, to fill such member's seat on the governing authority until such time as the suspension of the public official is terminated or the end of such member's current term on the governing authority, whichever is earlier. Before selecting such temporary replacement, the governing authority shall advertise its intention to select such temporary replacement in the applicable legal organ at least once a week for two weeks and on the governing authority's website, if it has one, and shall solicit applicants for such temporary replacement position."

By replacing "apply to" with "enable the temporary replacement of" on line 70.

By replacing "all" with "the temporary replacement of all" on line 71.

The Committee substitute, as amended, was adopted.

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

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

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

On the passage of the Bill, by substitute, as amended, the ayes were 51, nays 101.

The Bill, having failed to receive the requisite constitutional majority, was lost.

Representative Jacobs of the 80th moved that the House reconsider its action in failing to give the requisite constitutional majority to SB 95.

On the motion, the roll call was ordered and the vote was as follows:

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

On the motion, the ayes were 95, nays 65.

The motion prevailed.

Representative Jacobs of the 80th moved that SB 95 be placed upon the table.

On the motion, the roll call was ordered and the vote was as follows:

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

On the motion, the ayes were 102, nays 60.

The motion prevailed.

SR 788. By Senators Albers of the 56th, Crane of the 28th, Dugan of the 30th, Carter of the 1st and Jones of the 25th:

A RESOLUTION authorizing the conveyance of certain state owned real property located in Appling County, Chatham County, Cobb County, Columbia County, Dade County, Fulton County, Liberty County, Meriwether County, Monroe County, Rabun County, Toombs County, Troup County, Troup County; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A RESOLUTION

Authorizing the conveyance of certain state owned real property located in Appling County; authorizing the conveyance of certain state owned real property located in Baldwin County and in Baldwin and Wilkinson counties; authorizing the leasing and conveyance of certain state owned real property located in Chatham County; authorizing the leasing of certain state owned real property located in Cobb County; authorizing the leasing of certain state owned real property located in Columbia County; authorizing the ratification of 2012 Resolution Act No. 759 (H.R. 1376) of an exchange of certain state owned real property located in Dade County; authorizing the conveyance of certain state owned and real property located in DeKalb County; authorizing the conveyance and leasing of, and easements upon, certain state owned real property located in Fulton County; authorizing the conveyance of certain state owned real property located in Liberty County; authorizing the conveyance and leasing of certain state owned real property located in Meriwether County; authorizing the leasing of certain state owned real property located in Monroe County; authorizing the conveyance of certain state owned real property located in Muscogee County; authorizing the conveyance of certain state owned real property located in Rabun County; authorizing the conveyance of certain state owned real property located in Spalding County; authorizing the conveyance of certain state owned real property located in Tattall County; authorizing the conveyance of certain state owned real property located in Toombs County; authorizing the conveyance of certain state owned real property located in Troup County; to provide an effective date; to repeal conflicting laws; and for other purposes.

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Appling County, Georgia; and
- (2) Said real property is all that parcel or tract being approximately 7.162 acres of state property lying and being in Land Lot 191, 2nd Land District, Appling County, Georgia, acquired by virtue of General Warranty Deed between Appling County, Georgia, as the Grantor, and the State of Georgia as the Grantee, dated March 5, 2008, for consideration of \$10.00 as recorded in Deed Book 442, Pages 487-489 in the Office of the Clerk of Superior Court of Appling County, Georgia, and being on file in the offices of the State Properties Commission inventoried as Real Property Record (RPR) # 010485, and accompanying Plat recorded in Plat Book 19, Page 1 in the Office of the Clerk of the Superior Court of Appling County, Georgia, entitled, "SURVEY FOR: GEORGIA DEPARTMENT OF TECHNICAL AND ADULT EDUCATION BY MERLIN J. TOMBERLIN & ASSOC. DATED 05/05/07"; and being on file in the offices of the State Properties Commission; and

- (3) Said parcel or tract is under the custody of the Technical College System of Georgia as the former site of Baxley Armory Tract of Altamaha Technical College; and
- (4) By letter of September 11, 2013, the Chairman of the Development Authority of Appling County requested that the improved property be conveyed to the Authority when surplus to the State's use; and
- (5) By resolution dated September 5, 2013, the Technical College System of Georgia declared the property surplus to its current and future needs, and resolved to surplus the above described improved property; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Baldwin County, Georgia; and
- (2) Said property is all that parcel or tract being approximately 2,134 acres of state property being on file in the offices of the State Properties Commission and inventoried as Central State Hospital campus/Property ID # 51710 as of February 3, 2014, less and except approximately 272 acres described in Paragraph 3 below, and including three facilities previously known as Rivers State Prison, Scott State Prison, and Mens State Prison, no longer operated by the Georgia Department of Corrections and surplus to its needs; and
- (3) Certain improved parcels or tracts under the custody of the Georgia Department of Behavioral Health and Developmental Disabilities will be retained totaling approximately 239 acres, [parcels or tracts commonly known as Allen (containing approximately 5.0 acres), Chapel #4 (containing approximately 1.0 acre), CSH Police Department (containing approximately 3.0 acres), Kidd (containing approximately 8.0 acres), Dental Clinic (containing approximately 4.0 acres), EWAC (containing approximately 54 acres), Gas Station (containing approximately 2.0 acres), Greenhouse (containing approximately 6.0 acres), House #10 (containing approximately 3.0 acres), Lawrence (containing approximately 10.0 acres), New Directions Industries (NDI) (containing approximately 2.0 acres), Cook Building Facility ([containing] approximately 63 acres); Recycling Center (containing approximately 2.0 acres), Water Tank (containing approximately 1.0 acre), and the Georgia Department of Corrections' Colony Farms (Georgia Correctional Industries) (containing approximately 109 acres)], which the Georgia Department of Behavioral Health and Developmental Disabilities will continue to operate, and may be more particularly described on a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval; and
- (4) The Georgia Department of Behavioral Health and Developmental Disabilities stated that the property in Paragraph 2 above is surplus to the state's use and needs; and

WHEREAS:

- (1) The State of Georgia is the owner of certain parcels of real property located in Baldwin and Wilkinson counties, Georgia; and
- (2) Said real property is all those tracts or parcels of land lying and being in Land Lots 201, 214, 215, 224, and 225, 5th Land District, 1714th G.M.D., Baldwin County, Georgia, and Land Lot 201, 5th Land District, 328th G.M.D., Wilkinson County, Georgia, containing approximately 477 acres, as shown on two plats of survey entitled Survey Property for the Fall Line Regional Development Authority, dated October 31, 2006, and October 18, 2006, and being tracts C and E (Baldwin County) and tracts A and F (Wilkinson County), prepared by Byron L. Farmer, Georgia Registered Land Surveyor #1679, and on file in the offices of the State Properties Commission, and may be more particularly described on a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval; and
- (3) Said tracts or parcels are a portion of Bartram Forest now under the custody of the Georgia Forestry Commission; and
- (4) The Georgia Department of Transportation intends to construct the "Fall Line Freeway" which will bisect Bartram Forest, and the Fall Line Regional Development Authority is desirous of constructing an industrial park at the intersection of U.S. Highway 441 and said Fall Line Freeway; and
- (5) It has been determined that the development of said industrial park on the above-described property would be of great economic benefit to the citizens of Baldwin and Wilkinson counties as well as the state; and
- (6) The State Forestry Commission, by letter from the director dated September 21, 2005, agrees to the conveyance to the Fall Line Regional Development Authority with the provision that State Forestry Commission retains timber rights on the 477 +/- acre tracts or parcels for management and harvesting until such time as the actual conversion of the land use; and
- (7) It would be in the best interest of the State of Georgia to convey the above-described property to the Fall Line Regional Development Authority for fair market value; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain tract or parcel of improved real property located in Chatham County, Georgia;
- (2) Said real property is all that certain lot, tract, or parcel of land, situate, lying and being in the 6th G.M. District of Chatham County, Georgia, consisting of 2.232 acres of land more particularly described as follows:

Commencing at a point located at the southwest corner of the intersection of the rights-of-way of Eisenhower and Seawright Drives; running thence south 17° 30' west, along the west edge of the right-of-way of Seawright Drive, for a distance of 300 feet to a concrete monument, being the point of beginning; continuing thence south 17° 30' west along the west edge of the right-of-way of Seawright Drive for a

distance of 50 feet to a point; running thence north 72° 30' west for a distance of 179.95 feet to a point; running thence south 86° 56' 30" west for a distance of 85.44 feet to a point; running thence south 17° 30' west for a distance of 160 feet to a concrete monument; running thence north 72° 30' west for a distance of 346 feet to a concrete monument; running thence north 17° 30' east for a distance of 240 feet to a concrete monument; running thence south 72° 30' east for a distance of 346 feet to a concrete monument; continuing thence south 72° 30' east for a distance of 259.95 feet to a concrete monument and the point of beginning; said 2.232 acre tract being also shown as a 1.906 acre tract plus a.326 acre tract on a certain survey plat dated June 14, 1974 and revised September 16, 1974 prepared by Barrett & Exley, Inc. for the State of Georgia - Department of Human Resources, a copy of said plat being hereto attached and a copy being recorded in the office of the Clerk of the Superior Court of Chatham County, Georgia in Plat or Map Record Book Y, Folio 61; said plat by reference being incorporated herein and made a part hereof.

The above described tract being a portion of the property conveyed by deed dated May 18, 1959 from Chatham County, Georgia, a political subdivision of the State of Georgia, through the Commissioners of Chatham County, Georgia, and ex-officio Judges thereof to Chatham Chapter, Georgia Association for the Help of Retarded Children, Incorporated, a Georgia corporation, with offices in Savannah, Georgia; said deed, with a resolution attached, being recorded in the office of the Clerk of the Superior Court of Chatham County, Georgia in Deed Record Book 72 K's, Folio 264;

- (3) Said property is under the custody of the Department of Behavioral Health and Developmental Disabilities;
- (4) Said parcel is currently rented to Coastal Center for Developmental Services, Inc.;
- (5) Coastal Center for Developmental Services, Inc., is desirous of leasing the above-described state property; and
- (6) The Department of Behavioral Health and Developmental Disabilities has no objection to the leasing of the above-described property.

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Chatham County, Georgia; and
- (2) Said real property is all that parcel or tract lying and being in the 8th Georgia Militia District of Chatham County and is more particularly described as an approximately 0.432 of an acre portion of approximately 54 acres of state property acquired from the City of Savannah and the Savannah Airport Commission for the Coastal State Prison, dated February 27, 1976, and inventoried as Real Property Record # 06203 in the offices of the State Properties Commission and accompanying plat as recorded in Plat Book 2, Page 109 in the Office of the Clerk of Superior Court of Chatham County, and may be more particularly described on an engineered drawing or on a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval; and

- (3) The above-described 0.432 of an acre property is in the custody of the Georgia Department of Corrections as a portion of the Coastal State Prison in Savannah; and
- (4) The Georgia Department of Transportation in a letter dated January 24, 2013, requested that the 0.432 of an acre property along County Road 9/Gulfstream Road be conveyed for \$1,850.00 to widen and reconstruct the Road with \$10,650.00 reimbursement for damages to the prison's entrance and two signs as well as a land conveyance, as more particularly described as Parcel 4 on a September 9, 2012, drawing entitled "Right-of-Way Map for Georgia Department of Transportation" in Chatham County, CMSLP- 008-00-276 (Chatham County) Project PI # 00008276, and being on file in the offices of the State Properties Commission; and
- (5) The Board of Corrections has determined by resolution dated May 2, 2013, that the property is surplus to its needs and is available for conveyance to the Georgia Department of Transportation, with cure for damages; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Cobb County, Georgia; and
- (2) Said real property is all that parcel described as the lease area being approximately 0.77 of an acre and being in Land Lot No. 1218 of the 16th Land District, 2nd Section of Cobb County and is a portion of the Western and Atlantic Railroad property in the custody of the State Properties Commission, being the same areas that were until 2009 leased in two parcels to the City of Marietta since 1977 and 1978, said 2009 lease being inventoried in the commission's records as Real Property Record 10685 on file in the commission's office, and may be more particularly described on a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval; and
- (3) The City of Marietta on January 2, 2014, requested a new lease term of 20 years to expire December 21, 2039, to meet requirements of a grant for improvements; and
- (4) The rate for the new lease would be \$650.00 per year; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property totaling approximately 638 square feet of improved property located in Grovetown, Columbia County, Georgia; and
- (2) Said improved property is all that area of floor space containing 638 square feet of improved property located at Augusta State Medical Prison in Grovetown, Columbia County, Georgia; and
- (3) Said property is in the custody of the Department of Corrections and is a part of Augusta State Medical Prison; and
- (4) MCG Health, Inc. is desirous of leasing the above-described property for pharmaceutical operations and an Oncology Clinic for a term of ten years for \$10.00 per square foot; and

(5) The Department of Corrections has no objection to the leasing of the above-described property; and

WHEREAS:

(1) The State of Georgia is the owner of a certain parcel of real property located in Dade County, Georgia; and

(2) Said parcel is all that tract or parcel of land lying and being in Land Lot 289 of the 10th District and 4th Section of Dade County containing approximately 0.683 of an acre, being more particularly described in that deed from Dade County, dated May 11, 1959, and recorded by the clerk of Dade County Superior Court in Deed Book 56, Page 69, and may be more particularly described on a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval; and

(3) The above-described property operated as the Dade County Unit under the custody of the Georgia Forestry Commission until it was destroyed by a tornado on April 28, 2011; and

(4) Dade County is also the owner of approximately three acres in Land Lots 21 and 22, 18th District, 3rd Section, as described on a survey for the State Forestry Commission on a plat dated July 14, 2011, last revised on November 13, 2013, by surveyor Paul Rogers, Registered Land Surveyor No. 2303, which property was also leased for 25 years to the state on November 23, 2011, for constructing, maintaining, and operating a new Georgia Forestry Commission Dade Unit, and as described on the same plat; and

(5) Dade County approved at its August 4, 2011, meeting the acquisition from the state of the above-described 0.683 of an acre property in exchange for the county conveying to the state the three-acre property now leased to the State; and

(6) The Georgia Forestry Commission, by resolution dated May 19, 2011, recommended the exchange as described above as being beneficial to the state and recommended cancellation of the County's 25 year lease on the three acres when the exchange is effected; and

(7) Said exchange was approved by 2012 Resolution Act No. 759 (H.R. 1376), approved by the Governor on May 2, 2012; and

(8) Dade County approved movement of the south property line of the three-acre tract north by 30 feet so that the county could declare the road located adjacent to it as a county road and shift the northern property line of the three-acre tract by the same area, as shown on a plat of survey dated July 14, 2011, last revised on November 13, 2013, by surveyor Paul Rogers, Registered Land Surveyor No. 2303; and

(9) Dade County and the Georgia Forestry Commission request that the 2012 Resolution Act No. 759 (H.R. 1376) be ratified to reflect the corrected boundary line of the three-acre acquisition tract described above, and to terminate the 25 year lease; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in DeKalb County, Georgia; and
- (2) Said real property is all that parcel or tract containing approximately 5.3358 acres of improved real property lying and being in Land Lots 236 and 243, 18th Land District, DeKalb County, Georgia, as described in that June 23, 2009, quitclaim deed from the Georgia Building Authority recorded in Deed Book 21615, Page 241 in the Office of the Clerk of Superior Court of DeKalb County, Georgia, and on file in the offices of the State Properties Commission as Real Property Record # 10656 and shown on a plat by Samuel G. Evans, Jr., Surveyor, recorded in Plat Book 83, Page 155 in the Office of the Clerk of the Superior Court of DeKalb County, and may be more particularly described on a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval; and
- (3) The above-described property is under the custody of the Georgia Department of Public Health and is located at 2600 Skyland Drive ("the facility"); and
- (4) The Georgia Department of Public Health has determined that it will at no time in the future have a use for the improved property and infrastructure comprising the facility and declared it surplus to its needs; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Fulton County, Georgia; and
- (2) Said real property is all that tract or parcel of land lying and being in parts of Land Lot 853, 1st Land District, 2nd Section, City of Alpharetta, Fulton County, Georgia, containing approximately 1.4 acres for right of way, together with approximately 0.1 acre of permanent easement and approximately 1.7 acres of temporary easement to be conveyed and is more particularly described on a drawing entitled "Proposed Northwinds Parkway Conveyance," dated January 28, 2014, and on file in the offices of the State Properties Commission, and presented to the State Properties Commission for approval; and
- (3) Said parcel or tract is under the custody of the Technical College System of Georgia and will be the location of the planned Gwinnett Technical College campus; and
- (4) By letter dated August 26, 2012, the City of Alpharetta requested that the property be conveyed for the extension of Northwinds Parkway from Kimball Bridge Road to Old Milton Parkway and will provide access to the property owned by the State of Georgia and dedicated for the planned Gwinnett Technical College Alpharetta campus; and
- (5) The Technical College System of Georgia has determined that it no longer has a need for the above-described property and has declared it surplus to its needs; and

WHEREAS:

- (1) The State of Georgia is the owner of certain parcels of real property known as the Geo. L. Smith II Georgia World Congress Center Authority (the authority), located in Fulton County, Georgia; and
- (2) Said property is all that tract or parcel of land lying and being in Land Lots 83 and 84 of the 14th District of Fulton County containing approximately 43 acres designated as the New Stadium Project, the boundary of which is described in red as "NSP limits" on a drawing entitled Roadway Abandonment Phasing Exhibit, last revised December 17, 2013, and on file in the offices of the State Properties Commission, and which may be more particularly described on a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval; and
- (3) The above-described tract comprises a portion of the Georgia World Congress Center campus which is in the custody of the Department of Economic Development and managed by the authority through that certain management agreement dated April 8, 1974, as subsequently amended; and
- (4) The Department of Economic Development, by and through the authority, desires the state to ground lease to the authority the NSP area of approximately 43 acres for 40 years with two renewal options of five years each, with the provision that the area may be licensed to the Atlanta Falcons Stadium Company, LLC (StadCo), and provided that certain plans and specifications for the New Stadium Project are approved by the authority, and other specified stipulations and terms and conditions as more particularly set forth in the resolution; and
- (5) The Department of Economic Development, by and through the authority, also requests the granting of nonexclusive permanent utility, access, and service easements for the use and enjoyment of the New Stadium Project or such appurtenant easements for the term of the lease which may be more particularly described on plats of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Liberty County, Georgia; and
- (2) Said real property parcel is a portion of all that tract being approximately 50.57 acres of state property lying and being in the 1458th G.M. District, City of Hinesville, Liberty County, Georgia, acquired by virtue of General Warranty Deed between Liberty County Industrial Authority, as the Grantor, and the State of Georgia as the Grantee, dated February 27, 2002, for consideration of \$10.00 as recorded in Deed Book 1071, Pages 460-462 in the office of the clerk of Superior Court of Liberty County, Georgia, and being on file in the offices of the State Properties Commission inventoried as Real Property Record (RPR) # 009735, and accompanying plat entitled, "PLAT OF 50.57 ACRES, TRACT 'A' HINESVILLE AIRPORT INDUSTRIAL PARK, 1458TH G.M. DISTRICT, HINESVILLE GEORGIA BY

BENJAMIN E. GAY DATED 02/27/2002"; and being recorded in Plat Book M79, Page 1 in the office of the clerk of Superior Court of Liberty County, Georgia, and being on file in the offices of the State Properties Commission, said parcel being more particularly described as that approximately 0.451 of an acre along State Route 119; and

(3) Said 0.451 of an acre is under the custody of the Technical College System of Georgia as a portion of the Liberty campus of Savannah Technical College; and

(4) The Georgia Department of Transportation in a letter dated November 20, 2012, requested that 0.451 of an acre along State Route 119 be conveyed for the Road Widening Project Number STP-0004-00(917), as more particularly described as that area highlighted in yellow on that right of way drawing entitled "DEPARTMENT OF TRANSPORTATION; STATE OF GEORGIA; RIGHT OF WAY OF PROPOSED STATE ROUTE 119 WIDENING FROM INTERSECTION OF US84 TO SR196 LIBERTY; FEDERAL AID PROJECT NO. STP-0004-00(917)" dated November 14, 2011, last revised on September 18, 2012, made by Thomas & Hutton Engineering Co., and being on file in the offices of the State Properties Commission; and

(5) By resolution dated March 7, 2013, the Technical College System of Georgia declared the property surplus to its needs and approved the conveyance of the above-described property to the Georgia Department of Transportation; and

WHEREAS:

(1) The State of Georgia is the owner of a certain parcel or parcels of real property located in Meriwether County, Georgia; and

(2) Said real property is all of that certain parcel or parcels of real property referenced and described on a drawing titled ROOSEVELT WARM SPRINGS REHAB HOSPITAL - STUDY of approximately 22 acres of land (the hospital, parking, and Hilliard Cottage) lying and being in Land Lots 137 and 138 of the 2nd Land District of Meriwether County, Georgia, hereinafter sometimes called the "hospital property"; and

(3) Said hospital property is licensed and permitted by the State of Georgia for operation as a long-term care acute care hospital located on the Roosevelt Warm Springs Institute for Rehabilitation campus in the custody of the Georgia Vocational Rehabilitation Agency, and may be more particularly described on a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval; and

(4) The board of the Georgia Vocational Rehabilitation Agency approved a resolution to transfer title to the hospital property to the Board of Regents of the University System of Georgia Regents University for operation as a long-term care hospital and as an inpatient rehabilitation facility with associated rehabilitative, health care, and medical services by and through a lease and management arrangement with a designated nonprofit corporation and same to revert to the state if Regents University discontinues use; and

(5) The Board of Regents of the University System of Georgia resolved to seek conveyance of the hospital property for Georgia Regents University for operation as a long-term care hospital and as an inpatient rehabilitation facility with associated rehabilitative, health care, and medical services by and through a lease and management arrangement with a designated nonprofit corporation; and

(6) The consideration for the conveyance of the hospital property from the State of Georgia to the Board of Regents of the University System of Georgia shall be \$10.00 and the continued use of the above-described real property for public purposes, unless such use is discontinued by the Board of Regents of the University System of Georgia in which case the hospital property will revert back to the State of Georgia in custody of the Georgia Vocational Rehabilitation Agency; and

WHEREAS:

(1) The State of Georgia is the owner of a certain parcel of real property located in Meriwether County, Georgia; and

(2) Said real property is all that parcel or tract containing approximately 935 acres lying and being in Land Lots 119, 120, 121, and 137, 2nd Land District, Meriwether County, Georgia, inventoried as the "WARM SPRINGS INSTITUTE FOR REHABILITATION" in the State's Real Property Records as BLLIP PROPERTY ID # 72810 as of December 3, 2013; and

(3) A portion of said property is a parcel described on a drawing entitled "ROOSEVELT WARM SPRINGS INSTITUTE FOR REHABILITATION ("the Institute") - GOLF COURSE" of approximately 55 acres of land lying and being in Meriwether County, being a portion of the Institute campus in the custody of the Georgia Vocational Rehabilitation Agency, and may be more particularly described on a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval; and

(4) The Georgia Vocational Rehabilitation Services Board approved a ground lease of the golf course for ten years to The Warrior Alliance, which operates as a 501(c)(3) corporation under the umbrella of the Georgia-based 501(c)(3) non-profit Healthcare Institute for Neuro-Recovery and Innovation (HINRI), or its successor; and

(5) The Warrior Alliance would operate the golf course as a vocational rehabilitation training program called Operation Double Eagle for vocational students of the Institute and for active or retired wounded military or those with disabilities, focusing on mobility impairment from spinal cord or traumatic brain injury, for the successful transition of warriors and their families by access to facilities and private-sector services that encourage healing and valued return to their communities; and

(6) The consideration for the lease would be \$10.00 per year and the provision of such training and support services as golf course construction, engineering, agronomy, golf course maintenance and operation, landscape architecture, horticulture and hospitality management, and such related public purposes and career conversions while restoring, maintaining, and operating the classic Donald Ross-designed 9-hole golf course; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Monroe County, Georgia; and
- (2) Said real property is all that area of floor space containing 497 square feet of improved property located at Georgia Public Safety Training Center in Forsyth, Monroe County, Georgia; and
- (3) Said property is in the custody of the Georgia Public Safety Training Center and is a part of the Georgia Public Safety Training Center; and
- (4) Justice Federal Credit Union is desirous of leasing the above-described property as a financial office and ATM for a term of ten years with an annual rental amount of \$5,000.00; and
- (5) The Georgia Public Safety Training Center has no objection to the leasing of the above-described property; and
- (6) The June 27, 2013, State Properties Commission Board meeting authorized entering into a short-term lease for one year with two one-year renewals of 497 square feet of improved property for a financial office and ATM location at Georgia Public Safety Training Center with Justice Federal Credit Union for a consideration of \$10.00; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Monroe County, Georgia; and
- (2) Said improved property is all that area of floor space containing 25 square feet of improved property located at State Offices South at Tift College in Forsyth, Monroe County, Georgia; and
- (3) Said property is in the custody of the Department of Corrections and is a part of State Offices South at Tift College; and
- (4) The State of Georgia has leased the 25 square feet of improved property to Justice Federal Credit Union since July 14, 2011, for a consideration of \$600.00 annually; and
- (5) Justice Federal Credit Union is desirous of leasing the above-described property for a term of ten years; and
- (6) The Department of Corrections has no objection to the leasing of the above-described property; and
- (7) The December 8, 2011, State Properties Commission board meeting authorized entering into a short-term lease for one year with two one-year renewals of 25 square feet of improved property for an ATM location at State Offices South at Tift College with Justice Federal Credit Union for a consideration of \$600.00 per year; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Muscogee County, Georgia; and

- (2) Said real property is all that parcel or tract containing approximately 2.9 acres of improved real property lying and being in Land Lot 38, 8th Land District, Muscogee County, Georgia, as described in that December 5, 2003, general warranty deed from the Columbus Technical College Foundation, Inc., recorded in Deed Book 7216, Page 77 in the Office of the Clerk of Superior Court of Muscogee County, Georgia, and on file in the offices of the State Properties Commission as Real Property Record 009977 and shown on a plat by A. B. Moon, Jr., Surveyor, recorded in Plat Book 149, Page 86 in the Office of the Clerk of the Superior Court of Muscogee County, and may be more particularly described on a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval; and
- (3) The above-described property is under the custody of the Technical College System of Georgia and is the former horticulture program site; and
- (4) The Technical College System of Georgia has determined that it will at no time in the future have a use for the improved property and declared it surplus to its needs; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Rabun County, Georgia; and
- (2) Said improved real property is approximately 1.0 acre lying and being in the City of Dillard, Rabun County, and in the 556th Militia District as described in that October 17, 1950, deed recorded in Deed Book Y-2, Pages 61-63, and on file in the offices of the State Properties Commission as Real Property Record 1089 and may be more particularly described on a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval; and
- (3) Said tract or parcel was formerly the site of the Dillard Farmers Market, now under the custody of the Department of Agriculture; and
- (4) By letter dated January 7, 2014, the Commissioner of Agriculture declared the improved property surplus and no longer necessary for the operations of the agency; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Spalding County, Georgia; and
- (2) Said real property is all that tract or parcel of land covering approximately 0.040 of an acre lying and being in Land Lot 112 of the 2nd Land District, 1065th G.M.D., Spalding County, Georgia, and being more particularly described on the plans titled "Department of Transportation, State of Georgia, Right of Way of Proposed SR3/US19 at SR16 in Griffin, Spalding County, Federal Aid Project NH000-0001-04(062), P.I.# 332890" and presented to the State Properties Commission for approval; and
- (3) The above-described property is under the custody of the Georgia Department of Labor; and

- (4) By letter dated April 11, 2013, the Georgia Department of Transportation requested that the property be conveyed for the Interchange Improvements at State Route 3/US 19 at State Route 16, Project NH000-0001-04(062), P.I.# 332890; and
- (5) The Georgia Department of Labor has determined that it no longer has a need for the above described property and has declared it surplus to its needs; however, proceeds from the conveyance and cost to cure damages must be retained by the Department of Labor due to federal funding requirements; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Tattnall County, Georgia; and
- (2) Said improved real property is approximately 10.42 acres lying and being in the City of Glennville, Tattnall County, in the 1432nd G.M.D. as described in that August 13, 1951 deed recorded in Deed Book 3-U, Page 460 and on file in the offices of the State Properties Commission as Real Property Record 002242 and shown on a plat dated August 8, 1967 by Joe P. Davis, Surveyor, recorded in Deed Book 4-U, Page 30, and may be more particularly described on a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval; and
- (3) Said tract or parcel was formerly the site of the Glennville Farmers Market and Poultry Lab, now under the custody of the Department of Agriculture; and
- (4) By letter dated January 21, 2014, the Commissioner of Agriculture declared the improved property surplus and no longer necessary for the operations of the agency; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Toombs County, Georgia; and
- (2) Said real property is all that parcel lying and being in Toombs County, and is more particularly described as approximately 1.165 acres per a plat on file in the offices of the State Properties Commission prepared by Southern Surveying Services dated June 7, 2013, and recorded in Book 00032, Page 0342 of the Toombs County Clerk of Superior Court. The 1.165 acre parcel is part of a 2588.40 tract recorded in Toombs County Clerk of Superior Court in a deed dated August 17, 1987, at Deed Book 241, Pages 122-123 from Walter W. Resmondo and Theresa P. Resmondo as Grantor to the State of Georgia for \$1.6 million and other valuable consideration, a copy of which is on file in the offices of the State Properties Commission, inventoried as Real Property Record # 007485; and
- (3) Said tract is the site of Joe Kennedy Farm Property, now under the custody of the Department of Corrections; and
- (4) Toombs County is desirous of acquiring the above-described property for public purpose, including as a recycling center; and

(5) The Department of Corrections stated that the above-described unimproved parcel of property is surplus to the needs of the department and requested that the above-described property be conveyed to Toombs County for the amount of \$10.00 to be used for public purpose; and

WHEREAS:

(1) The State of Georgia is the owner of a certain parcel of real property located in Troup County, Georgia; and

(2) Said real property is all that parcel or tract lying and being in Land Lot 202, 6th District, Troup County, and is more particularly described as approximately 9.0887 acres in a deed on file in the offices of the State Properties Commission inventoried as Real Property Record # 004603, and being recorded in a deed dated August 8, 1973, at Deed Book 296, Page 93 from the Board of Commissioners of Troup County as Grantor to the State of Georgia for \$1.00 and other valuable consideration, less and except all that parcel or tract lying and being in Land Lots 201 and 202, 6th District, Troup County and which is more particularly described as approximately 2.62 acres in a deed on file in the offices of the State Properties Commission inventoried as Real Property Record # 010289 from the State of Georgia as Grantor to Troup County for \$10.00 and other valuable consideration. The remaining parcel consists of a total of 6.4687 acres; and

(3) Said tract or parcel was formerly the site of State Patrol Post 2, now under the custody of the Department of Public Safety; and

(4) Troup County is desirous of acquiring the above-described property for public purpose; and

(5) The Department of Public Safety stated that the above-described improved property is surplus to the needs of the department and requested that the above-described property be conveyed to Troup County for the amount of \$10.00 to be used for public purpose.

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**ARTICLE I
SECTION 1.**

That the State of Georgia is the owner of the above-described real property in Appling County and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 2.

That the above-described property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to the Development Authority of Appling County or to a local government or State entity for a

consideration of \$10.00 so long as the property is used for public purpose; or to a local government or State entity for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia; or by competitive bid for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 3.

That the authorization in this resolution to convey the above-described property shall expire three years after the date this resolution is enacted into law and approved by the State Properties Commission.

SECTION 4.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 5.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Appling County, Georgia, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 6.

That custody of the above-described property shall remain in the Technical College System of Georgia until the property is conveyed.

ARTICLE II

SECTION 7.

That the State of Georgia is the owner of the above-described real property in Baldwin County and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 8.

That the above-described parcels or tracts of property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, by competitive bid for fair market value, or to a local government entity or State entity for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia; or to a local government or state entity for a consideration of \$10.00 so long as the property is used for public purpose, and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 9.

That the authorization in this resolution to convey the above-described property interest shall expire three years after the date this resolution is enacted into law and approved by the State Properties Commission.

SECTION 10.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 11.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Baldwin County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 12.

That custody of the above-described property interest shall remain in the Georgia Department of Behavioral Health and Developmental Disabilities until the property is conveyed.

ARTICLE III**SECTION 13.**

That the State of Georgia is the owner of the above-described real property in Baldwin and Wilkinson counties and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 14.

That the above-described property, excluding any timber rights which are to be retained by the State Forestry Commission, may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to the Fall Line Regional Development Authority, or if the authority shall disband prior to conveyance, all property may be conveyed to either county, for fair market value, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 15.

That the authorization in this resolution to convey the above-described property interest shall expire three years after the date that this resolution is enacted into law and approved by the State Properties Commission.

SECTION 16.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 17.

That the deed of conveyance shall be recorded by the grantee in the Superior Courts of Baldwin and Wilkinson counties and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 18.

That custody of the above-described property shall remain in the State Forestry Commission until the property is conveyed.

ARTICLE IV**SECTION 19.**

That the State of Georgia is the owner of the above-described improved real property located in Chatham County, Georgia, and that, in all matters relating to the leasing of said property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 20.

That the State of Georgia, acting by and through its State Properties Commission, is authorized to lease the above-described tract of improved property to Coastal Center for Developmental Services, Inc., for a period of fifteen years commencing with the execution of the lease agreement.

SECTION 21.

That the consideration for such lease shall be \$1,000.00 per year and such other terms and conditions as may be determined by the State Properties Commission to be in the best interests of the State of Georgia.

SECTION 22.

That any sublease of subject property must be approved by the State Properties Commission, and any remuneration resulting from a sublease in excess of \$1,000.00 per year is to be remitted to the State of Georgia.

SECTION 23.

That the authorization of this resolution to lease the above-described property to Coastal Center for Developmental Services, Inc., shall expire three years after the date that this resolution becomes effective.

SECTION 24.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such lease.

SECTION 25.

That this lease agreement shall be recorded by the lessee in the Superior Court of Chatham County and a recorded copy shall be forwarded to the State Properties Commission.

ARTICLE V

SECTION 26.

That the State of Georgia is the owner of the above-described real property in Chatham County and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 27.

That the above-described property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission to the Georgia Department of Transportation for a consideration of \$1,850.00 and cost of damages, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 28.

That the authorization in this resolution to convey the above-described property interest shall expire three years after the date that this resolution becomes effective.

SECTION 29.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 30.

That the deed of conveyance shall be recorded by the Georgia Department of Transportation as grantee in the Superior Court of Chatham County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 31.

That custody of the above-described property interest shall remain in the Georgia Department of Corrections until the property is conveyed.

ARTICLE VI

SECTION 32.

That the State of Georgia is the owner of the above-described real property in Cobb County and that in all matters relating to the leasing of the approximately 0.77 of an acre of real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 33.

That the State of Georgia, acting by and through the State Properties Commission, is authorized to lease the above-described real property to the City of Marietta for an additional period of 20 years to expire December 31, 2039, for public purpose, including use as its visitor center and parking, for a consideration of \$650.00 per year and other consideration as determined by the State Properties Commission to be in the best interest of the State of Georgia.

SECTION 34.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such lease.

SECTION 35.

That the lease shall each be recorded by the lessee in the Superior Court of Cobb County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 36.

That the authorization to lease the above-described property to the City of Marietta shall expire three years after the date that this resolution becomes effective.

ARTICLE VII**SECTION 37.**

That the State of Georgia is the owner of the above-described real property located in Columbia County and that in all matters relating to the leasing of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 38.

That the State of Georgia, acting by and through its State Properties Commission, is authorized to lease an additional 350 square feet of improved property for a total of 638 square feet for a period of ten years for an annual rent total of \$6,380.00 for the purpose of operating a 340B Clinic and Oncology Clinic, and at no cost to the state, additional use by MCG Health, Inc. for the term of the lease, and such further terms and conditions as determined by the State Properties Commission to be in the best interest of the State of Georgia.

SECTION 39.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such lease, including the execution of all necessary documents.

SECTION 40.

That the Lease shall be recorded by MCG Health, Inc. as lessee, in the Superior Court of Columbia County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 41.

That the authorization to lease the above-described property shall expire three years after the date this resolution becomes effective.

ARTICLE VIII**SECTION 42.**

That the State of Georgia is the owner of the above-described real property in Dade County and that in all matters relating to the exchange of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 43.

That the above-described Resolution Act may be ratified relative to the acquisition property by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, with such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 44.

That the authorization in this resolution shall expire three years after the date this resolution is enacted into law and approved by the State Properties Commission.

SECTION 45.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such exchange.

SECTION 46.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Dade County, Georgia, and a recorded copy shall be forwarded to the State Properties Commission.

ARTICLE IX**SECTION 47.**

That the State of Georgia is the owner of the above-described real property in DeKalb County and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 48.

That the above-described property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission by competitive bid for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia; or to a local government or state entity for a consideration of \$10.00 or other payments and any outstanding bonds so long as the property is used for public purpose; or to a local government or state entity for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 49.

That the authorization in this resolution to convey the above-described property interest shall expire three years after the date that this resolution becomes effective.

SECTION 50.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to affect such conveyance.

SECTION 51.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of DeKalb County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 52.

That custody of the above-described property interest shall remain in the Georgia Department of Public Health until the property is conveyed.

ARTICLE X**SECTION 53.**

That the State of Georgia is the owner of the above-described real property in Fulton County and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 54.

That the State of Georgia, acting by and through its State Properties Commission, is authorized to convey the above-described approximately 1.4 acres for right of way, together with approximately 0.1 acre of permanent easement and approximately 1.7 acres of temporary easement, for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 55.

That the authorization in this resolution shall expire three years after the date this resolution is enacted into law and is approved by the State Properties Commission.

SECTION 56.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 57.

That any deeds shall be recorded by the City of Alpharetta in the Superior Court of Fulton County, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 58.

That custody of the above-described property shall remain in the Technical College System of Georgia until the exchange has been consummated.

ARTICLE XI**SECTION 59.**

The State of Georgia is the owner of the above-described parcel of real property located in Fulton County, Georgia, known as the New Stadium Project (NSP) containing approximately 43 acres and that in all matters relating to the ground lease of said real property and the granting of easements related to that property the State of Georgia is acting by and through its State Properties Commission.

SECTION 60.

That the State of Georgia, acting by and through the State Properties Commission, is authorized to lease to the authority for the use and enjoyment of the New Stadium Project facility for 40 years with two renewal options of five years each for \$10.00 for the term of the lease and such further consideration, terms, and conditions as determined by the State Properties Commission in its discretion to be in the best interest of the State of Georgia, and the authority may license the property to the Atlanta Falcons Stadium Company, LLC and which leased area may be more particularly described on a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 61.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such lease and any license.

SECTION 62.

That the lease shall be recorded by the lessee in the Superior Court of Fulton County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 63.

That the authorization to lease the above-described property to the authority and effect such easements shall expire three years after the date that this resolution becomes effective.

SECTION 64.

That the State of Georgia, acting by and through its State Properties Commission, may grant to various utility companies or entities, or each successor and assign, nonexclusive permanent easements or appurtenant easements on or through the New Stadium Project area for access and utility or utility-like uses related to the construction, operation, and maintenance of the New Stadium Project, including access and relocation of any streets on said property or existing utilities. Said easement areas are particularly to be described by respective plats of a survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 65.

That the various grantees or lessee or successors or assigns shall have the right to remove or cause to be removed from said easement areas only such trees and bushes as and when approved by the authority and as may be reasonably necessary for the proper installation, operation, and maintenance of said utilities or utility-like uses.

SECTION 66.

That after these easements are granted, a subsequent abandonment of the use of each shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easements granted herein. Upon abandonment, each grantee, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event those facilities and equipment shall become the property of the State of Georgia, or its successors and assigns.

SECTION 67.

That no title shall be conveyed to each grantee and, except as herein specifically granted in each easement, all rights, title, and interest in and to said easement areas is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to the utilities or StadCo.

SECTION 68.

That if the State of Georgia, acting by and through its State Properties Commission, determines that in order to avoid interference with the state's use or intended use of an

easement area, the easement area should be relocated to an alternate site within State property, it may grant a substantially equivalent nonexclusive easement to an alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia. The grantee shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and grantee provides, and the State Properties Commission receives and approves in advance of any construction being commenced, a schedule and written estimate for the cost of such removal and relocation. Upon written request from a grantee or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense, or reimbursement from the State of Georgia.

SECTION 69.

That each easement granted shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia, and that the State Properties Commission is authorized to use a more accurate description of the easement area so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 70.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Department of Transportation with respect to the state highway system, of a county with respect to the county road system, or of a municipality with respect to the city street system. The grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of each easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of each easement area.

SECTION 71.

That the consideration for each easement shall not be less than \$10.00 and shall be set by the State Properties Commission, and shall include such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 72.

That the grant of each easement shall be recorded by the grantee in the Superior Court of Fulton County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 73.

That the authorization in this resolution to grant the above-described easements shall expire five years after the date this resolution is enacted into law and approved by the State Properties Commission.

SECTION 74.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of these easement areas.

ARTICLE XII

SECTION 75.

That the State of Georgia is the owner of the above-described real property in Liberty County and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 76.

That the above-described property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to the Georgia Department of Transportation for a consideration of \$10.00 and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 77.

That the authorization in this resolution to convey the above-described property shall expire three years after the date this resolution is enacted into law and approved by the State Properties Commission.

SECTION 78.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 79.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Liberty County, Georgia, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 80.

That custody of the above-described property shall remain in the Technical College System of Georgia until the property is conveyed.

ARTICLE XIII

SECTION 81.

That the State of Georgia is the owner of the above-described real property located in Meriwether County, Georgia, and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 82.

That the above-described property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to the Board of Regents of the University System of Georgia for \$10.00, that title of said property may revert back to the State of Georgia if the Board of Regents of the University System of Georgia discontinues use, and that such further consideration and provisions may be included as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 83.

That the authorization in this resolution to convey the above-described real property shall expire three years after the date that this Resolution Act becomes effective.

SECTION 84.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 85.

That the deed of conveyance shall be recorded by the Board of Regents of the University System of Georgia as grantee in the Superior Court of Meriwether County, Georgia, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 86.

That custody of the above-described real property shall remain in the Georgia Vocational Rehabilitation Agency until the above-described real property is conveyed from the State of Georgia to the Board of Regents of the University System of Georgia.

ARTICLE XIV

SECTION 87.

That the State of Georgia is the owner of the above-described real property in Meriwether County and that in all matters relating to the ground lease of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 88.

That the above-described property may be ground leased for ten years by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to The Warrior Alliance for \$10.00 and the provision of such training and support services and restoration, maintenance, and operation of the golf course, and such

consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 89.

That the authorization in this resolution to convey the above-described property shall expire three years after the date this resolution is enacted into law and approved by the States Properties Commission.

SECTION 90.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 91.

That the ground lease shall be recorded by the grantee in the Superior Court of Meriwether County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 92.

That custody of the above-described property shall remain in the Georgia Vocational Rehabilitation Agency until the property is conveyed.

ARTICLE XV

SECTION 93.

That the State of Georgia is the owner of the above-described real property located in Monroe County and that in all matters relating to the leasing of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 94.

That the State of Georgia, acting by and through its State Properties Commission, is authorized to lease approximately 497 square feet of improved property to Justice Federal Credit Union for a financial office and ATM location at Georgia Public Safety Training Center for a term of ten years with an annual rental amount of \$5,000.00 and such further terms and conditions as determined by the State Properties Commission to be in the best interest of the State of Georgia.

SECTION 95.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such lease, including the execution of all necessary documents.

SECTION 96.

That the lease shall be recorded by Justice Federal Credit Union as lessee, in the Superior Court of Monroe County, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 97.

That the authorization to lease the above-described property shall expire three years after the date this resolution becomes effective.

ARTICLE XVI**SECTION 98.**

That the State of Georgia is the owner of the above-described real property located in Monroe County and that in all matters relating to the leasing of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 99.

That the State of Georgia, acting by and through its State Properties Commission, is authorized to lease 25 square feet of improved property to Justice Federal Credit Union for a term of ten years with an annual rental amount of \$600.00 and such further terms and conditions as determined by the State Properties Commission to be in the best interest of the State of Georgia.

SECTION 100.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such lease, including the execution of all necessary documents.

SECTION 101.

That the lease shall be recorded by Justice Federal Credit Union as lessee in the Superior Court of Monroe County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 102.

That the authorization to lease the above-described property shall expire three years after the date this resolution becomes effective.

ARTICLE XVII**SECTION 103.**

That the State of Georgia is the owner of the above-described real property in Muscogee County and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 104.

That the above-described property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission to the consolidated government of Columbus and Muscogee County, Georgia for \$10.00 and perpetual public use and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia; or by competitive bid for fair market value or to a local government or state entity for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia or to another local government or state entity for \$10.00 so long as the property is used for public purpose, and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 105.

That the authorization in this resolution to convey the above-described property interest shall expire three years after the date that this resolution becomes effective.

SECTION 106.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to affect such conveyance.

SECTION 107.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Muscogee County and a recorded copy shall be forwarded to the State Properties Commission.

ARTICLE XVIII**SECTION 108.**

That the State of Georgia is the owner of the above-described property in Rabun County and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 109.

That the above-described property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to a local government or State entity for a consideration of \$10.00 and payment of applicable outstanding general obligation bonds and interest or other payments, so long as the property is used for public purpose; or to a local government or state entity for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia; or by competitive bid for fair market value and other consideration and provisions as the State

Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 110.

That the authorization in this resolution to convey the above-described property shall expire three years after the date this resolution becomes effective.

SECTION 111.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 112.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Rabun County, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 113.

That custody of the above-described property shall remain in the Department of Agriculture until the property is conveyed.

ARTICLE XIX

SECTION 114.

That the State of Georgia is the owner of the above-described real property in Spalding County and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 115.

That the above-described property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to the Georgia Department of Transportation for a consideration of \$7,150.00 plus \$3,250.00 for cost of damages, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 116.

That the authorization in this resolution to convey the above-described property interest shall expire three years after the date that this resolution becomes effective.

SECTION 117.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 118.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Spalding County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 119.

That custody of the above-described property interest shall remain in the Georgia Department of Labor until the property is conveyed.

ARTICLE XX**SECTION 120.**

That the State of Georgia is the owner of the above-described real property in Tattnall County and that in all matters relating to the conveyance or lease of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 121.

That the above-described property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, by competitive bid for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia; or to a local government or state entity for a consideration of \$10.00 and payment of applicable outstanding general obligation bonds and interest or other payments so long as the property is used for public purpose; or to a local government or state entity for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 122.

That the authorization in this resolution to convey the above-described property shall expire three years after the date this resolution becomes effective.

SECTION 123.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 124.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Tattnall County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 125.

That custody of the above-described property interest shall remain in the Department of Agriculture until the property is conveyed.

ARTICLE XXI
SECTION 126.

That the State of Georgia is the owner of the above-described real property in Toombs County and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 127.

That the above-described property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to Toombs County or to a local government or State entity for a consideration of \$10.00 or other payments, so long as the property is used for public purpose, and for other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 128.

That the authorization in this resolution to convey the above-described property shall expire three years after the date this resolution becomes effective.

SECTION 129.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 130.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Toombs County, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 131.

That custody of the above-described property shall remain in the Department of Corrections until the property is conveyed.

ARTICLE XXII
SECTION 132.

That the State of Georgia is the owner of the above-described real property in Troup County and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 133.

That the above-described property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to Troup County or to a local government or state entity for a consideration of \$10.00 and payment

of applicable outstanding general obligation bonds and interest or other payments, so long as the property is used for public purpose; or to a local government or state entity for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia; or by competitive bid for fair market value and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 134.

That the authorization in this resolution to convey the above-described property shall expire three years after the date this resolution becomes effective.

SECTION 135.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 136.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Troup County, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 137.

That custody of the above-described property shall remain in the Department of Public Safety until the property is conveyed.

ARTICLE XXIII

SECTION 138.

That this resolution shall become effective as law upon its approval by the Governor or upon its becoming law without such approval.

SECTION 139.

That all laws and parts of laws in conflict with this resolution are repealed.

The report of the Committee, which was favorable to the adoption of the Resolution, by substitute, was agreed to.

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

Y Abrams	Y Coomer	Y Gregory	Y McCall	Y Sims, C
Y Alexander	Y Cooper	E Hamilton	Y McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y Harbin	Y Meadows	Y Smith, L
Y Anderson	Y Deffenbaugh	Y Harden	Y Mitchell	Y Smith, M

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

On the adoption of the Resolution, by substitute, the ayes were 168, nays 0.

The Resolution, having received the requisite constitutional majority, was adopted, by substitute.

SB 292. By Senators Unterman of the 45th, Wilkinson of the 50th, Hill of the 32nd, Dugan of the 30th, Hill of the 4th and others:

A BILL to be entitled an Act to amend Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Public Health, so as to establish within the Department of Public Health the Alzheimer's Disease Registry; to provide for the purpose of the registry; to provide for promulgation and criteria of rules; to provide for confidentiality of data; to provide for compliance with P. L. 104-191, the federal Health Insurance Portability and Accountability Act of 1996; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following amendment was read:

Representative Lindsey of the 54th offers the following amendment:

Amend SB 292 (LC 37 1656) by inserting after "amend" on line 1 the following:

Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions regarding health, so as to enact the "Georgia Health Care Freedom Act"; to provide a short title; to provide that neither the state nor any department, agency, bureau, authority, office, or other unit of the state nor any political subdivision of the state shall expend or use moneys, human resources, or assets of the State of Georgia to advocate or intended to influence the citizens of this state in support of the voluntary expansion by the state of eligibility for medical assistance under the provisions of 42 U.S.C. Section 1396(a), Section 1902 of the federal Social Security Act, as amended; to provide for enforcement; to provide for applicability; to amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions regarding insurance, so as to provide that no department, agency, instrumentality, or political subdivision of this state shall establish any program; promulgate any rule, policy, guideline, or plan; or change any program, rule, policy, or guideline to implement, establish, create, administer, or otherwise operate an exchange, or apply for, accept, or expend federal moneys related to the creation, implementation, or operation of an exchange; to provide for an exception; to prohibit the state and its departments, agencies, bureaus, authorities, offices, or other units of the state and its political subdivisions from providing navigator programs; to prohibit the Commissioner of Insurance from enforcing or investigating any health care insurance related provision of the federal Patient Protection and Affordable Care Act of 2010; to provide for applicability; to provide for related matters; to amend Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Public Health, so as to establish within the Department of Public Health the Alzheimer's Disease Registry; to provide for the purpose of the registry; to provide for promulgation and criteria of rules; to provide for confidentiality of data; to provide for compliance with P. L. 104-191, the federal Health Insurance Portability and Accountability Act of 1996; to amend

By inserting after line 9 the following:

This Act shall be known and may be cited as the "Georgia Health Care Freedom Act."

SECTION 2.

Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions regarding health, is amended by adding a new article to read as follows:

"ARTICLE 3

31-1-40.

(a) Neither the state nor any department, agency, bureau, authority, office, or other unit of the state nor any political subdivision of the state shall expend or use moneys, human resources, or assets to advocate or intended to influence the citizens of this state in support of the voluntary expansion by the State of Georgia of eligibility for medical assistance under the provisions of 42 U.S.C. Section 1396(a), Section 1902 of the federal Social Security Act, as amended.

(b) The Attorney General shall enforce the provisions of this Code section in accordance with Article V, Section III, Paragraph IV of the Constitution of the State of Georgia.

(c) Nothing in this Code section shall be construed to prevent an employee of the State of Georgia or any department, agency, bureau, authority, office, or other unit thereof or any employee of a political subdivision of this state from advocating or attempting to influence public policy on such employee's personal time without using state resources, or to provide bona fide educational instruction about the federal Patient Protection and Affordable Care Act of 2010 in institutions of higher learning or otherwise."

SECTION 3.

Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions regarding insurance, is amended by adding new Code sections to read as follows:

"33-1-23.

(a) As used in this Code section, the term 'exchange' shall have the same meaning provided for in paragraph (1) of Code Section 33-23-201.

(b) No department, agency, instrumentality, or political subdivision of this state shall:

(1) Establish any program; promulgate any rule, policy, guideline, or plan; or change any program, rule, policy, or guideline to implement, establish, create, administer, or otherwise operate an exchange; or

(2) Apply for, accept, or expend federal moneys related to the creation, implementation, or operation of an exchange.

(c) Nothing in this Code section shall apply to the Commissioner of Insurance in the implementation or enforcement of the provisions of Article 3 of Chapter 23 of this title.

(d) Neither the state nor any department, agency, bureau, authority, office, or other unit of the state, including the University System of Georgia and its member institutions, nor any political subdivision of the state shall establish, create, implement, or operate a navigator program or its equivalent as defined in Code Section 33-23-201; provided, however, that any grant regarding a navigator program in effect on the effective date of this Code section shall be permitted to continue for the term of such grant but shall then terminate upon the expiration of the term of such grant and shall not be renewed, notwithstanding any provision contained within such grant allowing for automatic renewal under certain circumstances.

33-1-24.

The Commissioner of Insurance is prohibited from enforcing any health care insurance related provision of the federal Patient Protection and Affordable Care Act of 2010. The Commissioner of Insurance is prohibited from acting as an arm, agent, or contractor of the federal Department of Health and Human Services, Internal Revenue Service, or any other federal department or agency to investigate alleged violations of health care insurance related provisions of the federal Patient Protection and Affordable Care Act of 2010. In addition, the Commissioner of Insurance shall not fine, place on probation, suspend, or revoke any insurance company or agent for any violation of the federal Patient Protection and Affordable Care Act of 2010. Nothing in this Code section shall be construed to apply to the regulation of rates or rate filings, investigations, administrative or judicial proceedings, or any other duty or responsibility arising under state or local law regarding health care insurers by the Commissioner of Insurance.

SECTION 4.

By redesignating Section 2 as Section 5.

Representative Abrams of the 89th asked the Speaker to rule on the germaneness of the Lindsey amendment.

The Speaker ruled the amendment germane.

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

N Abrams	Y Coomer	Y Gregory	Y McCall	Sims, C
N Alexander	Y Cooper	Y Hamilton	N McClain	N Smith, E
Y Allison	N Dawkins-Haigler	Y Harbin	Meadows	Y Smith, L
N Anderson	Y Deffenbaugh	Y Harden	N Mitchell	N Smith, M
Y Atwood	Y Dempsey	Y Harrell	Y Moore	Y Smith, R
Y Ballinger	E Dickerson	Hatchett	N Morgan	N Smyre
Y Barr	Y Dickey	Y Hawkins	Y Morris	Y Spencer
Y Battles	Y Dickson	N Henson	N Mosby	N Stephens, M
N Beasley-Teague	Y Dollar	Y Hightower	Y Nimmer	Stephens, R
N Bell	N Douglas	Y Hitchens	Y Nix	N Stephenson
N Bennett	N Drenner	N Holcomb	N Oliver	N Stovall
N Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Stover
Y Benton	N Dukes	Y Holt	Y Pak	Y Strickland
N Beverly	Y Dunahoo	Y Houston	N Parrish	Y Talton
Y Black	Y Duncan	N Howard	Y Parsons	Y Tankersley
Y Braddock	Y Dutton	N Hugley	Y Peake	Y Tanner
Y Broadrick	Y Efrstration	N Jackson	Y Pezold	Y Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
N Brooks	Y England	E Jasperse	Powell, J	Y Taylor, T
N Bruce	N Epps, C	Y Jones, J	N Prince	Y Teasley
N Bryant	Y Epps, J	N Jones, L	Y Pruett	N Thomas, A.M.

N Buckner	N Evans	E Jones, S	Y Quick	Y Turner
Y Burns	Y Fleming	N Jordan	Y Ramsey	N Waites
Y Caldwell, J	N Floyd	Kaiser	N Randall	Y Watson, B
Y Caldwell, M	N Fludd	Y Kelley	Y Rice	Y Watson, S
Y Carson	N Frazier	N Kendrick	Y Riley	Y Welch
Y Carter	N Frye	Y Kidd	Y Roberts	Weldon
E Casas	N Fullerton	Y Kirby	Y Rogers, C	N Wilkerson
Y Chandler	N Gardner	Y Knight	Y Rogers, T	Y Wilkinson
Y Channell	Y Gasaway	Y Lindsey	Y Rutledge	Willard
Y Chapman	Y Geisinger	Y Lumsden	Y Rynders	N Williams, A
Y Cheokas	N Glanton	N Mabra	N Scott	N Williams, C
Y Clark, J	E Golick	N Marin	Y Setzler	N Williams, E
Y Clark, V	N Gordon	Y Martin	N Sharper	Y Williamson
Y Coleman	Y Gravley	E Maxwell	Y Shaw	Y Yates
Y Cooke	E Greene	N Mayo	Y Sims, B	Ralston, Speaker

On the adoption of the amendment, the ayes were 105, nays 59.

The amendment was adopted.

An amendment by Representative Stover of the 71st was withdrawn.

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

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

N Abrams	N Coomer	N Gregory	Y McCall	Y Sims, C
N Alexander	Y Cooper	Y Hamilton	N McClain	N Smith, E
Y Allison	Y Dawkins-Haigler	Y Harbin	Y Meadows	Y Smith, L
N Anderson	Y Deffenbaugh	Y Harden	N Mitchell	N Smith, M
Y Atwood	Y Dempsey	Y Harrell	Y Moore	Y Smith, R
Y Ballinger	E Dickerson	Y Hatchett	N Morgan	N Smyre
Y Barr	Y Dickey	Y Hawkins	Y Morris	Y Spencer
Y Battles	Y Dickson	N Henson	N Mosby	N Stephens, M
N Beasley-Teague	Y Dollar	Y Hightower	Y Nimmer	Y Stephens, R
N Bell	N Douglas	Y Hitchens	Y Nix	N Stephenson
N Bennett	N Drenner	N Holcomb	N Oliver	N Stovall
N Bentley	Y Dudgeon	Y Holmes	Y O'Neal	Y Stover
Y Benton	N Dukes	Y Holt	Y Pak	Y Strickland
N Beverly	Y Dunahoo	Y Houston	Y Parrish	Y Talton
Y Black	Y Duncan	N Howard	Y Parsons	Y Tankersley
Y Braddock	Y Dutton	N Hugley	Y Peake	Y Tanner
Y Broadrick	Y Efrstration	N Jackson	Y Pezold	Y Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
N Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
N Bruce	N Epps, C	Y Jones, J	N Prince	Y Teasley
N Bryant	Y Epps, J	N Jones, L	Y Pruett	N Thomas, A.M.
N Buckner	N Evans	E Jones, S	Y Quick	Y Turner
Y Burns	Y Fleming	N Jordan	Y Ramsey	N Waites
Y Caldwell, J	N Floyd	N Kaiser	N Randall	Y Watson, B

Y Caldwell, M	N Fludd	Y Kelley	Y Rice	Y Watson, S
Y Carson	N Frazier	N Kendrick	Y Riley	Y Welch
Y Carter	N Frye	Y Kidd	Y Roberts	Y Weldon
E Casas	N Fullerton	Y Kirby	Y Rogers, C	N Wilkerson
Y Chandler	N Gardner	Y Knight	Y Rogers, T	Y Wilkinson
Y Channell	Y Gasaway	Y Lindsey	Y Rutledge	Y Willard
Y Chapman	Y Geisinger	Y Lumsden	Y Rynders	N Williams, A
Y Cheokas	N Glanton	N Mabra	N Scott	Y Williams, C
Y Clark, J	E Golick	N Marin	Y Setzler	N Williams, E
Y Clark, V	N Gordon	Y Martin	N Sharper	Y Williamson
Y Coleman	Y Gravley	E Maxwell	Y Shaw	Y Yates
Y Cooke	E Greene	N Mayo	Y Sims, B	Ralston, Speaker

On the passage of the Bill, as amended, the ayes were 113, nays 59.

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

Representative Smith of the 134th moved that the following Resolution of the House be recommitted to the Committee on Rules:

HR 689. By Representatives Drenner of the 85th and Henson of the 86th:

A RESOLUTION urging local boards of education and schools in Georgia to implement renewable energy systems to provide educational and cost-saving opportunities; and for other purposes.

The motion prevailed.

By unanimous consent, the following Bill of the Senate, having been previously postponed, was again postponed until the next legislative day:

SB 286. By Senators Murphy of the 27th, Gooch of the 51st, Ginn of the 47th, Miller of the 49th, Wilkinson of the 50th and others:

A BILL to be entitled an Act to amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, so as to change the maximum percent by volume of wine to that which is currently allowed under federal law; to change the definition of certain terms; to authorize wineries to buy and use certain products to manufacture particular types of wine; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The Speaker Pro Tem assumed the Chair.

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 1693 Do Pass
HR 1726 Do Pass

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

HR 1693. By Representatives Abrams of the 89th, Smyre of the 135th, Wilkinson of the 52nd, Brooks of the 55th, Gardner of the 57th and others:

A RESOLUTION recognizing The National Center for Civil and Human Rights, Inc., for its plans to open its museum this summer in downtown Atlanta, and inviting its board of directors to be recognized by the House of Representatives; and for other purposes.

HR 1726. By Representatives Kaiser of the 59th, Oliver of the 82nd, Frazier of the 126th, Bennett of the 94th and Holcomb of the 81st:

A RESOLUTION commending Georgia Junior Cycling 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 1833. By Representative Epps of the 132nd:

A RESOLUTION recognizing and commending Union Chapel United Methodist Church; and for other purposes.

HR 1834. By Representatives Ramsey of the 72nd, Jones of the 47th, Kelley of the 16th, Maxwell of the 17th, Mosby of the 83rd and others:

A RESOLUTION commending Georgia State University's men's basketball team on winning the NCAA Division I Sun Belt Championship; and for other purposes.

HR 1835. By Representative Epps of the 132nd:

A RESOLUTION recognizing and commending St. Smyrna Baptist Church; and for other purposes.

HR 1836. By Representative Epps of the 132nd:

A RESOLUTION recognizing and commending Smith Chapel United Methodist Church; and for other purposes.

HR 1837. By Representative Epps of the 132nd:

A RESOLUTION recognizing and commending Warren Temple United Methodist Church; and for other purposes.

HR 1838. By Representative Epps of the 132nd:

A RESOLUTION honoring the life and memory of Willie James "Bubba" Easter; and for other purposes.

HR 1839. By Representatives Welch of the 110th, Rutledge of the 109th, Yates of the 73rd, Stephenson of the 90th, Strickland of the 111th and others:

A RESOLUTION recognizing Dr. Ethan J. D. Hildreth; and for other purposes.

HR 1840. By Representatives Efstoration of the 104th, Brockway of the 102nd and Chandler of the 105th:

A RESOLUTION recognizing and commending the Greater Atlanta Christian School's boys basketball team; and for other purposes.

HR 1841. By Representatives Quick of the 117th, Ralston of the 7th, Williams of the 119th, Fleming of the 121st, Frye of the 118th and others:

A RESOLUTION recognizing and commending the University of Georgia School of Law on its National Moot Court Championship; and for other purposes.

HR 1842. By Representatives Hightower of the 68th, Nix of the 69th, Cooke of the 18th and Smith of the 70th:

A RESOLUTION commending and recognizing Mike Wiggins; and for other purposes.

HR 1843. By Representatives Parsons of the 44th, Harbin of the 122nd, Geisinger of the 48th, Wilkinson of the 52nd, Powell of the 32nd and others:

A RESOLUTION recognizing and commending Richard Moore on the occasion of his retirement; and for other purposes.

HR 1844. By Representative Powell of the 32nd:

A RESOLUTION recognizing and commending Cecil Reno; and for other purposes.

HR 1845. By Representative Drenner of the 85th:

A RESOLUTION recognizing and commending Kathleen Andres in honor of Women's History Month 2014; and for other purposes.

HR 1846. By Representative Drenner of the 85th:

A RESOLUTION recognizing and commending Lois Thornley Hay; and for other purposes.

HR 1847. By Representatives Welch of the 110th, Rutledge of the 109th, Strickland of the 111th, Knight of the 130th and Yates of the 73rd:

A RESOLUTION recognizing Agnes Beers on the grand occasion of her 100th birthday; and for other purposes.

HR 1848. By Representatives Fludd of the 64th, Taylor of the 79th and Holcomb of the 81st:

A RESOLUTION recognizing and commending Zaheer Abrahams; and for other purposes.

HR 1849. By Representatives Randall of the 142nd, Beverly of the 143rd, Peake of the 141st, Epps of the 144th and Dickey of the 140th:

A RESOLUTION recognizing and commending Dr. Maurice Watson; and for other purposes.

HR 1850. By Representatives Douglas of the 78th, Scott of the 76th, Stephenson of the 90th and Strickland of the 111th:

A RESOLUTION commending Carrie Mae Hambrick and recognizing May 17, 2014, as Carrie Mae Hambrick Community Service Day at the state capitol; and for other purposes.

HR 1851. By Representatives Rogers of the 29th, Hawkins of the 27th, Dunahoo of the 30th and Barr of the 103rd:

A RESOLUTION honoring the life and memory of Ray Dean Mauney, Sr.; and for other purposes.

HR 1852. By Representatives Dickey of the 140th and Peake of the 141st:

A RESOLUTION commending Hunter Smith, Mary Persons High School's 2014 STAR Student; and for other purposes.

HR 1853. By Representatives Dickey of the 140th and Bentley of the 139th:

A RESOLUTION commending Caitlyn Hicks, Peach County High School's 2014 STAR Student; and for other purposes.

HR 1854. By Representatives Dickey of the 140th and Peake of the 141st:

A RESOLUTION commending Martin Magda, Mary Persons High School's 2014 STAR Teacher; and for other purposes.

HR 1855. By Representative Powell of the 32nd:

A RESOLUTION honoring the life and memory of Jim Gurley; and for other purposes.

HR 1856. By Representatives Powell of the 32nd and McCall of the 33rd:

A RESOLUTION honoring the life and memory of Louie M. Clark, Sr.; and for other purposes.

HR 1857. By Representatives Dawkins-Haigler of the 91st, Stephenson of the 90th, Anderson of the 92nd and Dickerson of the 113th:

A RESOLUTION recognizing and commending the Helping Hands Outreach Clinic and the Helping Hands Free Health Clinic; and for other purposes.

HR 1858. By Representatives Clark of the 98th, Dunahoo of the 30th, Teasley of the 37th, Barr of the 103rd, Duncan of the 26th and others:

A RESOLUTION recognizing and commending Noah Sudderth; and for other purposes.

HR 1859. By Representatives Wilkinson of the 52nd, Watson of the 166th, Willard of the 51st, Geisinger of the 48th, Dollar of the 45th and others:

A RESOLUTION recognizing April, 2014, as Parkinson's Disease Awareness Month at the state capitol; and for other purposes.

HR 1860. By Representatives Dickey of the 140th and Bentley of the 139th:

A RESOLUTION commending Lakisha Bobbitt, Peach County High School's 2014 STAR Teacher; and for other purposes.

The following Bills of the House were taken up for the purpose of considering the Senate action thereon:

HB 153. By Representatives Carson of the 46th, Golick of the 40th, Stephens of the 164th, Dudgeon of the 25th, Riley of the 50th and others:

A BILL to be entitled an Act to amend Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to the county special purpose local option sales tax, so as to allow such taxes to be imposed at a rate of less than 1 percent; to provide for the simultaneous levy of more than one tax under such part if the combined rate of such taxes does not exceed 1 percent; to change the beginning date for imposition of a tax; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to the county special purpose local option sales tax, so as to allow such taxes to be imposed at a rate of less than 1 percent; to provide for the simultaneous levy of more than one tax under said part if the combined rate of such taxes does not exceed 1 percent; to change the beginning date for imposition of a tax; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to the county special purpose local option sales tax, is amended by revising Code Section 48-8-110.1, relating to the authorization for a county special purpose local option sales tax, as follows:

"48-8-110.1.

(a) Pursuant to the authority granted by Article IX, Section II, Paragraph VI of the Constitution of this state, there are created within this state 159 special districts. The geographical boundary of each county shall correspond with and shall be conterminous with the geographical boundary of the 159 special districts.

(b) When the imposition of a special district sales and use tax is authorized according to the procedures provided in this part within a special district, the governing authority of any county in this state may, subject to the requirement of referendum approval and the other requirements of this part, impose within the special district a special sales and use tax for a limited period of time which tax shall be known as the county special purpose local option sales tax.

(c) Except as provided in subsection (d) of this Code section, any ~~Any~~ tax imposed under this part shall be at the rate of 1 percent. Except as to rate, a tax imposed under this part shall correspond to the tax imposed by Article 1 of this chapter. No item or transaction which is not subject to taxation under Article 1 of this chapter shall be subject to a tax imposed under this part, except that a tax imposed under this part shall apply to sales of motor fuels as prepaid local tax as that term is defined in Code Section 48-8-2 and shall be applicable to the sale of food and food ingredients and alcoholic beverages as provided for in Code Section 48-8-3.

(d) Any tax imposed under this part on or after January 1, 2014, may be at a rate of up to 1 percent but shall not be more than 1 percent. Any rate less than 1 percent shall only be in an increment of .05 percent. This subsection shall not apply to taxes under this part imposed or to be imposed under resolutions and ordinances adopted prior to January 1, 2014. The authority provided under this Code section shall not apply to any tax levied pursuant to Part 2 of this article.

(e) Prior to any tax being imposed under this part at a rate of less than 1 percent under subsection (d) of this Code section, the county and all qualified municipalities therein shall execute an intergovernmental agreement memorializing their agreement to the levy of a tax at a rate of less than 1 percent."

SECTION 2.

Said part is further amended by revising paragraph (1) of subsection (c) of Code Section 48-8-111, relating to the procedure for the imposition of the county special purpose local option sales tax, as follows:

"(c)(1) The ballot submitting the question of the imposition of the tax authorized by this part to the voters of the county within the special district shall have written or printed thereon the following:

- ' () YES Shall a special ~~4~~ ___ percent sales and use tax be imposed in the special district of _____ County for a period of time not to exceed _____
- () NO and for the raising of an estimated amount of \$_____ for the purpose of _____?"

SECTION 3.

Said part is further amended by revising subsection (a) and paragraph (1) of subsection (c) of Code Section 48-8-112, relating to the effective date, termination, limitation, and continuation of the county special purpose local option sales tax, as follows:

"(a) If the imposition of the tax is approved at the special election, the tax shall be imposed on the first day of the next succeeding calendar quarter which begins more than ~~80~~ 45 days after the date of the election at which the tax was approved by the voters. With respect to services which are regularly billed on a monthly basis, however, the resolution shall become effective with respect to and the tax shall apply to services billed on or after the effective date specified in the previous sentence."

"(c)(1) At any time no more than a ~~single~~ 1 percent tax under this part may be imposed within a special district."

SECTION 4.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 5.

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

Representative Carson of the 46th moved that the House disagree to the Senate substitute to HB 153.

The motion prevailed.

HB 513. By Representatives Houston of the 170th and Clark of the 98th:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to abolish the Georgia Medical Center Authority; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

A BILL TO BE ENTITLED
AN ACT

To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to abolish the Georgia Medical Center Authority; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by repealing in its entirety Chapter 15, relating to the Georgia Medical Center Authority, and designating said chapter as reserved.

SECTION 2.

As of the effective date of this Act, the Georgia Medical Center Authority is abolished and shall cease to exist.

SECTION 3.

(a) Any funds held by the Georgia Medical Center Authority as of the effective date of this Act shall be paid to the state treasury and become a part of the general funds of the state.

(b) On the effective date of this Act, any outstanding contracts, licenses, and obligations of the Georgia Medical Center Authority shall be transferred to the Board of Regents of the University System of Georgia until the same are completed or extinguished.

SECTION 4.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 5.

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

Representative Houston of the 170th moved that the House agree to the Senate substitute to HB 513.

On the motion, the roll call was ordered and the vote was as follows:

Y Abrams	Y Coomer	N Gregory	Y McCall	Y Sims, C
Y Alexander	Y Cooper	Y Hamilton	Y McClain	Y Smith, E
Y Allison	Dawkins-Haigler	Y Harbin	Y Meadows	Y Smith, L
Y Anderson	Y Deffenbaugh	Y Harden	Y Mitchell	Y Smith, M
Y Atwood	Y Dempsey	Y Harrell	N Moore	Y Smith, R
Y Ballinger	E Dickerson	Y Hatchett	Y Morgan	Y Smyre
Y Barr	Y Dickey	Y Hawkins	Y Morris	Y Spencer
Y Battles	Y Dickson	Henson	Y Mosby	Y Stephens, M
Y Beasley-Teague	Dollar	Y Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Nix	Y Stephenson

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

On the motion, the ayes were 154, nays 3.

The motion prevailed.

HB 658. By Representatives Pak of the 108th, Sheldon of the 104th, Harrell of the 106th, Hawkins of the 27th, Taylor of the 79th and others:

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 repeal Chapter 12, relating to estate tax; to prohibit the levy or collection of estate taxes; to provide an effective date; to provide for applicability; to provide that this Act shall not abate or affect prosecutions, punishments, penalties, administrative proceedings or remedies, or civil actions related to certain violations; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

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 repeal Chapter 12, relating to estate tax, and enact a new Chapter 12; to

prohibit the levy or collection of estate taxes; to provide for applicability; to provide that this Act shall not abate or affect prosecutions, punishments, penalties, administrative proceedings or remedies, or civil actions related to certain violations; to provide an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended by repealing in its entirety Chapter 12, relating to estate tax, and enacting a new Chapter 12 to read as follows:

"CHAPTER 12

48-12-1.

(a) On and after July 1, 2014, there shall be no estate taxes levied by the state and no estate tax returns shall be required by the state.

(b) Tax, penalty, and interest liabilities and refund eligibility for prior taxable years shall not be affected by the enactment of this Code section and shall continue to be governed by the provisions of general law as it existed immediately prior to July 1, 2014.

(c) This Code section shall not abate any prosecution, punishment, penalty, administrative proceeding or remedy, or civil action related to any violation of law committed prior to July 1, 2014."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

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

Representative Pak of the 108th moved that the House agree to the Senate substitute to HB 658.

On the motion, the roll call was ordered and the vote was as follows:

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

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

On the motion, the ayes were 159, nays 0.

The motion prevailed.

HB 766. By Representatives Lumsden of the 12th, Coleman of the 97th, Dudgeon of the 25th, Clark of the 101st, 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 provide for work based learning programs; to provide for a short title; to provide for legislative findings; to provide for requirements for work based learning programs; to provide requirements for local coordinators; to revise provisions for purposes of conformity; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

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 provide for work based learning programs; to provide for a short title; to provide for legislative findings; to provide for requirements for work based learning programs; to provide for local coordinators; 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.

This Act shall be known and may be cited as the "Work Based Learning Act."

SECTION 2.

Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, is amended by revising Code Section 20-2-161.2, relating to the Youth Apprenticeship Program, as follows:

"20-2-161.2.

(a) The General Assembly finds that it would be beneficial to students, employers, and the economic health of the state to assist in providing highly trained, technologically sophisticated, and career oriented students which will aid in the development of a successful twenty-first century work force. By opening their doors to work based learning opportunities, employers can play an active role in shaping the quality of their future work force, by preparing potential leaders for their company and their community, and by helping shape future curriculum to create an educated work force for their industry as a whole. Work based learning programs can provide students the opportunity to work and learn in a real-world environment and prepare them for future career opportunities. Such work based learning opportunities can be accomplished by developing partnerships between and among the business community, industry, students, parents, school systems, and postsecondary education institutions.

(a)(b) Any eleventh or twelfth grade pupil or pupil student aged 16 or over in any public school in this state may enroll in a Youth Apprenticeship Program work based learning program which is offered at that public school and which is approved for secondary credit by the department. Such pupil student shall be granted release time from the public school to work as an apprentice a student learner for any business or governmental enterprise which is approved by the department local work based learning coordinator as a qualified employer under the educational apprenticeship program pursuant to this Code section and work based learning program guidelines established by the department. A pupil student shall receive secondary credit for such apprenticeship work based learning only under the conditions established by the department. The department is authorized to establish a Youth Apprenticeship Program work based learning programs and guidelines to assist local school systems in operating such programs and to promulgate such policies, standards, procedures, criteria, and administrative requirements as may be necessary to implement the program by rules

and regulations. The work based learning programs established pursuant to this Code section may include, but not be limited to, employability skill development, service learning, cooperative education, internships, and youth apprenticeships. The department shall ~~consult~~ collaborate with the Department of Labor and the Technical College System of Georgia in developing such policies and procedures. The department's ~~certified educational apprenticeship plan~~ work based learning programs shall include but not be limited to the following:

- (1) A detailed training agreement and training plan between employer and ~~apprentice student~~ student that identifies specific work tasks that will develop workplace competency;
 - (2) A minimum of ~~144 classroom hours of related academic instruction and training~~ one unit of credit in a career pathway course related to the work based learning placement;
 - (3) A minimum of ~~2,000~~ number of hours of on-the-job training as required in the department's guidelines for awarding secondary credit;
 - (4) ~~A progressive wage schedule established by the participating employer;~~
 - (~~5~~)(4) On-site evaluation of the ~~pupil's~~ student's performance;
 - (~~6~~)(5) Training remediation as necessary at the school site;
 - (~~7~~)(6) A broad range of skills but shall be focused on ~~manufacturing and engineering technology, administration and office technology, and health care~~ skills related to the student's career pathway;
 - (~~8~~)(7) Development of materials by the business, industry, and labor community in conjunction with the department to promote the awareness of ~~apprenticeships~~ work based learning opportunities for high school students and encourage recruitment; and
 - (~~9~~)(8) Structural linkage between secondary and postsecondary components of the program leading to the awarding of a high school diploma and a postsecondary certification of occupational skills credential related to the student's career pathway.
- (c) Local school systems and college and career academies may designate one or more local work based learning coordinators to coordinate and oversee work based learning programs for the school system.
- (d) Local work based learning coordinators shall complete training programs that are collaboratively designed and delivered by the department and the Technical College System of Georgia.
- (e) A college and career academy established in accordance with Code Section 20-4-37 which participates in work based learning programs pursuant to this Code section and its charter shall be eligible for any funding or assistance available for the implementation of this Code section.
- (f) The State Board of Education shall encourage local school systems to work with their industry partners to develop and provide opportunities for industry experience for local work based learning coordinators and for teachers and shall provide for professional learning credit for coordinators and teachers who participate in such opportunities.

~~The apprenticeship program shall include on-site training only in positions that have been certified by the Department of Labor as highly skilled jobs in business and industry.~~

~~(b) The department shall develop pilot projects for the fiscal year 1994 and fiscal year 1995 school years and shall implement and direct a comprehensive apprenticeship program for all school systems by fiscal year 1996."~~

SECTION 3.

Said chapter is further amended by revising subsection (g) of Code Section 20-2-159.5, relating to dual credit courses, as follows:

"(g) Students enrolled in ~~the Georgia Youth Apprenticeship Program~~ a work based learning program under Code Section 20-2-161.2 shall may be eligible to earn dual credit upon completing a planned training experience under guidelines developed by the State Board of Education and the State Board of the Technical College System of Georgia provided students meet postsecondary readiness established in reading and writing and mathematics for the particular advanced training program or associate's degree."

SECTION 4.

Said chapter is further amended by revising paragraph (5) of subsection (c) of Code Section 20-2-327, relating to recognition of advanced proficiency/honors courses, and counseling and development of individual graduation plans, as follows:

"(5) Include experience based, career oriented learning experiences which may include, but not be limited to, participation in work based learning programs such as internships, apprenticeships, mentoring, co-op cooperative education, and service learning, and employability skill development;"

SECTION 5.

Said chapter is further amended by revising paragraph (3) of Code Section 20-2-329, relating to requirements for high schools that receive a reform grant, as follows:

"(3) Provide students in the ninth through twelfth grades information on educational programs offered in high school, in technical and community colleges, in colleges and universities, and through ~~apprenticeship~~ work based learning programs and how these programs can lead to a variety of career fields. Local school systems shall provide career awareness and exploratory opportunities ~~for~~ such as field trips, speakers, educational and career information centers, job shadowing, and classroom centers to assist students and their parents or guardians, with guidance from school counselors and teacher advisers, in revising, if appropriate, the individual graduation plan developed pursuant to subsection (c) of Code Section 20-2-327;"

SECTION 6.

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

Representative Lumsden of the 12th moved that the House agree to the Senate substitute to HB 766.

On the motion, the roll call was ordered and the vote was as follows:

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

On the motion, the ayes were 151, nays 2.

The motion prevailed.

HB 790. By Representatives Williams of the 119th, Willard of the 51st, Golick of the 40th, Black of the 174th, Nimmer of the 178th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 9 of the O.C.G.A., relating to specific periods of limitation, so as to provide for a

four-year statute of limitations for actions involving the removal of timber from the property of another; to amend Part 1 of Article 1 of Chapter 6 of Title 12 of the O.C.G.A., relating to the State Forestry Commission; to amend Code Section 12-6-23 of the O.C.G.A., relating to wood load ticket required for wood removal; to amend Chapter 4 of Title 44 of the O.C.G.A., relating to real estate boundary determinations, so as to repeal provisions relating to processioning; to amend Title 51 of the Official Code of Georgia Annotated, relating to torts; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 3 of Title 9 of the Official Code of Georgia Annotated, relating to specific periods of limitation, so as to provide for a four-year statute of limitations for actions involving the cutting or cutting and carrying away of timber from the property of another; to amend Part 1 of Article 1 of Chapter 6 of Title 12 of the Official Code of Georgia Annotated, relating to the State Forestry Commission, so as to provide additional enforcement authority to commission investigators; to amend Code Section 12-6-23 of the Official Code of Georgia Annotated, relating to wood load ticket required for wood removal, so as to require purchasers to provide the proper tickets to sellers of timber within 20 days; to amend Chapter 4 of Title 44 of the Official Code of Georgia Annotated, relating to real estate boundary determinations, so as to repeal provisions relating to processioning; to amend Title 51 of the Official Code of Georgia Annotated, relating to torts, so as to change provisions relating to the unauthorized cutting or cutting and carrying away of timber; to provide that a certain right of action shall not be applicable in certain cases; to provide a defense to tort liability for timber sellers who establish property boundaries; to provide for measures of damages for converted timber; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 3 of Title 9 of the Official Code of Georgia Annotated, relating to specific periods of limitation, is amended by revising Code Section 9-3-32, relating to damages for conversion or destruction, as follows:

"9-3-32.

Actions for the recovery of personal property, or for damages for the conversion or destruction of the same, shall be brought within four years after the right of action accrues, and actions involving the unauthorized cutting or cutting and carrying away of

timber from the property of another shall be brought within four years after the cutting or cutting and carrying away of timber."

SECTION 2.

Part 1 of Article 1 of Chapter 6 of Title 12 of the Official Code of Georgia Annotated, relating to the State Forestry Commission, is amended by revising Code Section 12-6-20, relating to forestry investigators, as follows:

"12-6-20.

(a) As used in this Code section, the term 'forestry laws' means laws relating to forestry or timber resources and the protection, security, conservation, or sale of such resources.

(a.1) The director, with the approval of the commission, may appoint investigators to enforce the forestry laws ~~and regulations~~ of this state.

(b) The investigators so appointed and any fire-fighting crews under their direction may enter upon any land for the purpose of preventing and suppressing fires and enforcing the fire and other forestry laws ~~and regulations~~ of this state.

(c) Investigators who have been so appointed ~~and who have been~~ shall be certified by the Georgia Peace Officer Standards and Training Council ~~as after~~ having successfully completed the course of training required by Chapter 8 of Title 35, the 'Georgia Peace Officer Standards and Training Act,' and thereafter shall be authorized and empowered to:

(1) Make summary arrests for violations of the fire and other forestry laws ~~and regulations~~ of this state; and, in case of such arrests, the investigator shall as soon as possible deliver the arrested person or persons to the custody of the sheriff of the county wherein the offense was committed;

(2) Arrest persons accused of violating any law ~~or regulation~~ which such investigators are empowered to enforce by the issuance of a citation, provided that the offense is committed in the presence of the investigator or information concerning the offense constituting a basis for arrest was received by the arresting investigator from a law enforcement officer, commission firefighter, or forester who observed the offense being committed. The arresting investigator may issue to the accused person a citation which shall enumerate the specific charges against such person and the date upon which such person is to appear and answer such charges. Whenever an arrest is made by the arresting investigator on the basis of information received from another law enforcement officer, commission firefighter, or forester who observed the offense being committed, such citation shall list the name of each officer, firefighter, or forester and each officer, firefighter, or forester shall be present when the charges against the offender are heard; ~~and~~

(3) Execute search warrants and arrest warrants for criminal violations relating to the forestry laws of this state and to arrest, upon probable cause and without warrant, any person the investigator observes violating any criminal law of this state while carrying out his or her duties, provided that such person shall immediately be delivered to the sheriff of the county where the violation occurred; and

~~(3)(4) Carry weapons in order to enforce the forestry laws and regulations of this state execute their enforcement authority under this Code section.~~

~~(d)(1) The provisions of paragraphs (1) and (2) of subsection (c) of this Code section notwithstanding, no arrest shall be made of any person for an offense described in subsection (c) of Code Section 12-6-90 unless on two previous occasions such person was issued warnings by a forestry investigator, other law enforcement officer, or State Forestry Commission firefighter for such an offense. Upon initiating any investigation regarding the potential theft or conversion of timber, the investigator shall promptly notify the sheriff or other law enforcement agency exercising jurisdiction within the county or municipality in which the investigator is conducting such investigation. No investigator shall request any other state law enforcement agency to render assistance in any investigation relating to the theft or conversion of timber without the consent of the sheriff or other law enforcement agency exercising jurisdiction within the county or municipality in which the investigation is conducted.~~

~~(2) The director may, and in the case of a request by the Governor shall, authorize and direct investigators to cooperate with and render assistance to any law enforcement agency of this state or of any political subdivision of this state in any criminal case, in the prevention or detection of violations of any law, or in the apprehension or arrest of any person who violates the criminal laws of this state, any other state, or the United States, upon a request by the sheriff or chief law enforcement officer of any political subdivision of this state or by the Governor.~~

~~(3) Nothing in this Code section shall repeal, supersede, alter, affect, or otherwise usurp the power of any other law enforcement officer of this state or of any political subdivision of this state.~~

(e) If any person charged by citation as provided in paragraph (2) of subsection (c) of this Code section shall fail to appear in court as specified in the citation, the judge having jurisdiction of the offense may issue a warrant ordering the apprehension of such person and commanding that he or she be brought before the court to answer the charge contained within such citation and the charge of his or her failure to appear as required. Such person shall then be allowed to make a reasonable bond to appear on a given date before the court."

SECTION 3.

Code Section 12-6-23 of the Official Code of Georgia Annotated, relating to wood load ticket required for wood removal, is amended by revising subsection (a) as follows:

"(a) Any person, company, corporation, or others purchasing ~~trees or timber directly from the landowner~~ from lands in Georgia shall ~~be required to, within 20 days of removal of such timber, furnish the owner of said lands~~ seller of timber a wood load scale ticket for each and every load of wood removed ~~from said property~~, when such load is sold by weight, cord, or measure of board feet. A wood load scale ticket shall include, ~~but not be limited to,~~ information clearly understandable to the ~~landowner~~ seller as follows:

(1) Ticket number;

- (2) Name and location of the person or company and its facility where the load of wood is received and weighed or measured;
- (3) Date wood was received at ~~said~~ such facility;
- (4) Tract name;
- (5) County and state of origin;
- (6) Dealer name (if any);
- (7) Producer or logging company name;
- (8) Species of wood;
- (9) Weight or scale information. If the load is measured by weight, the gross, tare, and net weights shall be shown. If the load is measured by scale, the total volume shall be shown;
- (10) Weight, scale, or amount of wood deducted and the deduction classification (cull, undersize, metal, knots, etc.); and
- (11) Name of the person receiving, weighing, or scaling the wood."

SECTION 4.

Chapter 4 of Title 44 of the Official Code of Georgia Annotated, relating to real estate boundary determinations, is amended by repealing Article 1, relating to processioning, and designating such article as reserved.

SECTION 5.

Title 51 of the Official Code of Georgia Annotated, relating to torts, is amended in Code Section 51-10-6, relating to owner's right of action for damage to or theft of personal property, by adding a new subsection to read as follows:

"(h) The measure of damages provided for in this Code section shall not be applicable in cases involving the unauthorized cutting or cutting and carrying away of timber from the property of another. In such cases, damages shall be awarded in accordance with Code Section 51-12-50."

SECTION 6.

Said title is further amended in Article 1 of Chapter 11, relating to defenses to tort actions generally, by adding a new Code section to read as follows:

"51-11-10.

There shall be a rebuttable presumption that a property owner selling timber from his or her land and acting in good faith shall not be liable to adjoining landowners for any trespass or conversion of property caused by a third party timber harvester who is not subject to the control and direction of the property owner selling timber if, prior to the harvesting of such timber:

- (1) A land surveyor possessing a certificate of registration issued by the State Board of Registration for Professional Engineers and Land Surveyors has surveyed the property from which the timber is to be harvested and plainly established and clearly marked the metes and bounds of the property such that a reasonable person would

know or should have known of the existence of such markings when harvesting the timber and has provided a copy of that survey to the third-party timber harvester;
(2) The boundaries of the property from which timber is sold have been completely and accurately indicated using physical markers that are clearly visible such that a reasonable person would know or should have known of the existence of such physical markers; or
(3) The property owner has obtained a document indicating where the boundaries are and signed by adjoining landowners indicating that they agree on the location of such boundaries and has provided a copy of such document to the third-party timber harvester; provided, however, that such document shall only create a presumption in favor of the property owner with regard to those landowners who have signed such document."

SECTION 7.

Said title is further amended by revising Code Section 51-12-50, relating to measure of damages for converted timber, as follows:

"51-12-50.

(a) Except as provided in Code Section 51-12-51, ~~where~~ when a plaintiff recovers for timber cut or cut and carried away, the measure of ~~damage~~: damages shall be:

- (1) Treble the fair market value of the trees cut as they stood;
- (2) Treble the diminished fair market value of any trees incidentally harmed;
- (3) Costs of reasonable reforestation activities related to the plaintiff's injury; and
- (4) Attorney fees and expenses of litigation.

(b) When the ~~(1) Where~~ defendant is a willful trespasser, ~~is the full value of the property at the time and place of demand or when an action is brought without deduction for his labor or expense;~~ the plaintiff may also recover punitive damages.

- ~~(2) Where defendant is an unintentional or innocent trespasser or an innocent purchaser from such trespasser, is the value at the time of conversion less the value he or his venter added to the property; and~~
- ~~(3) Where defendant is a purchaser without notice from a willful trespasser, is the value at the time of his purchase.~~

(c) When the boundary lines of the property have been clearly and accurately marked, it shall be presumed that the defendant was a willful trespasser."

SECTION 8.

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

Representative Williams of the 119th moved that the House agree to the Senate substitute to HB 790.

On the motion, the roll call was ordered and the vote was as follows:

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

On the motion, the ayes were 158, nays 2.

The motion prevailed.

HB 958. By Representatives Nimmer of the 178th, Coomer of the 14th, Riley of the 50th, England of the 116th, Harbin of the 122nd and others:

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 certain provisions relating to the state income tax credit for qualified entertainment production companies; to provide for a new exemption from state sales and use taxes to qualified food banks; to provide for a new exemption from state sales and use taxes for covered items on specified dates; to provide a new exemption for purchase of energy efficient products or water efficient

products to extend the exemption from state sales and use taxes for competitive projects of regional significance; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

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 certain provisions relating to the state income tax credit for qualified entertainment production companies; to provide for a new exemption from state sales and use taxes to qualified food banks; to provide for a new exemption from state sales and use taxes for covered items on specified dates; to provide a new exemption for purchase of energy efficient products or water efficient products to extend the exemption from state sales and use taxes for competitive projects of regional significance; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended by revising paragraph (7) of subsection (b) and subsection (e) of Code Section 48-7-40.26, relating to the income tax credit for film, video, or digital production, as follows:

"(7) 'Qualified interactive entertainment production company' means a company ~~whose gross income is less than \$100 million that is primarily engaged in qualified production activities related to interactive entertainment which has been approved by the Department of Economic Development.~~ that:

(A) Maintains a business location physically located in Georgia;

(B) In the calendar year directly preceding the start of the taxable year of the qualified interactive entertainment production company, had a total aggregate payroll of \$500,000.00 or more for employees working within the state;

(C) Has gross income less than \$100 million for the taxable year; and

(D) Is primarily engaged in qualified production activities related to interactive entertainment which have been approved by the Department of Economic Development.

This term shall not mean or include any form of business owned, affiliated, or controlled, in whole or in part, by any company or person which is in default on any tax obligation of the state, or a loan made by the state or a loan guaranteed by the state."

"(e)(1) In no event shall the aggregate amount of tax credits allowed under this Code section for qualified interactive entertainment production companies and affiliates exceed \$25 million for taxable years beginning on or after January 1, 2013, and before January 1, 2014. The maximum credit for any qualified interactive entertainment production company and its affiliates shall be \$5 million for such taxable year. When the \$25 million cap is reached, the tax credit for qualified interactive entertainment production companies shall expire for such period taxable years.

(2) For taxable years beginning on or after January 1, 2014, and before January 1, 2015, the amount of tax credits allowed under this Code section for qualified interactive entertainment production companies and affiliates shall not exceed \$12.5 million.

(3) For taxable years beginning on or after January 1, 2015, and before January 1, 2016, the amount of tax credits allowed under this Code section for qualified interactive entertainment production companies and affiliates shall not exceed \$12.5 million.

(4) The tax credits allowed under this Code section for qualified interactive entertainment production companies and affiliates shall not be available for taxable years beginning on or after January 1, 2016.

(5) The maximum allowable credit claimed for any qualified interactive entertainment production company and its affiliates shall not exceed \$1.5 million in any single year.

(6) The commissioner shall allow the tax credits for qualified interactive entertainment production companies on a first come, first served basis based on the date the credits are claimed.

(7) No qualified interactive entertainment production company shall be allowed to claim an amount of tax credits under this Code section for any single year in excess of its total aggregate payroll expended to employees working within this state for the calendar year directly preceding the start of the year the qualified interactive entertainment production company claims the tax credits. Any amount in excess of such limit shall not be eligible for carry forward to the succeeding years' tax liability, nor shall such excess amount be eligible for use against the qualified interactive entertainment production company's quarterly or monthly payment under Code Section 48-7-103, nor shall such excess amount be assigned, sold, or transferred to any other taxpayer.

(8) Before the Department of Economic Development issues its approval to the qualified interactive entertainment production company for the qualified production activities related to interactive entertainment, the qualified interactive entertainment production company must certify to the department that:

(A) The qualified interactive entertainment production company maintains a business location physically located in this state; and

(B) The qualified interactive entertainment production company had expended a total aggregate payroll of \$500,000.00 or more for employees working within this

state during the calendar year directly preceding the start of the taxable year of the qualified interactive entertainment production company.

The department shall issue a certification that the qualified interactive entertainment production company meets the requirements of this paragraph; provided, however, that the department shall not issue any certifications before July 1, 2014. The qualified interactive entertainment production company shall provide such certification to the Department of Economic Development. The Department of Economic Development shall not issue its approval until it receives such certification.

~~(2) The commissioner shall allow the tax credits for qualified interactive entertainment production companies on a first come, first served basis based on the date the credits are claimed. When the \$25 million cap is reached, the tax credit for qualified interactive entertainment production companies shall expire."~~

SECTION 2.

Said title is further amended by revising subparagraph (A) of paragraph (57.1), paragraph (75), paragraph (82), and subparagraphs (A) and (B) of paragraph (93) of Code Section 48-8-3, relating to state sales and use tax exemptions, as follows:

"(57.1)(A) From July 1, ~~2006~~ 2014, until June 30, ~~2010~~ 2016, sales of food and food ingredients to a qualified food bank."

"(75)(A) The sale of ~~any covered item~~ eligible property. The exemption provided by this paragraph ~~shall apply~~ applies only to sales occurring during periods:

- (i) Commencing at 12:01 A.M. on ~~August 10, 2012~~ August 1, 2014, and concluding at 12:00 Midnight on ~~August 11, 2012~~ August 2, 2014; and
- (ii) Commencing at 12:01 A.M. on ~~August 9, 2013~~ July 31, 2015, and concluding at 12:00 Midnight on ~~August 10, 2013~~ August 1, 2015.

(B) As used in this paragraph, the term '~~covered item~~' shall mean:

(i) 'Clothing' means all human wearing apparel suitable for general use and includes footwear. The term 'clothing' excludes belt buckles sold separately; costume masks sold separately; patches and emblems sold separately; sewing equipment and supplies, including but not limited to knitting needles, patterns, pins, scissors, sewing machines, sewing needles, tape measures, and thimbles; sewing materials that become part of clothing, including but not limited to buttons, fabric, lace, thread, yarn, and zippers; and clothing accessories or equipment.

(ii) 'Clothing accessories or equipment' means incidental items worn on the person or in conjunction with clothing.

(iii) 'Computer' means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions. The term 'computer' excludes cellular phones.

(iv) 'Computer software' means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(v) 'Eligible property' means:

~~(i)(I) Articles of clothing and footwear with a sales price of \$100.00 or less per article of clothing or pair of footwear, excluding accessories such as jewelry, handbags, umbrellas, eyewear, watches, and watchbands item;~~

~~(ii)(II) A single purchase, with a sales price of \$1,000.00 or less, of personal computers and personal computer related accessories purchased for noncommercial home or personal use, including personal computer base units and keyboards, personal digital assistants, handheld computers, monitors, other peripheral devices, modems for Internet and network access, and nonrecreational software, whether or not they are to be utilized in association with the personal computer base unit. Computer and computer related accessories shall not include furniture and any systems, devices, software, or peripherals designed or intended primarily for recreational use Computers, computer components, and prewritten computer software purchased for noncommercial home or personal use with a sales price of \$1,000.00 or less per item; and~~

~~(iii)(III) Noncommercial purchases of general school School supplies, school art supplies, school computer supplies, and school instructional materials purchased for noncommercial use to be utilized in the classroom or in classroom related activities, such as homework, up to with a sales price of \$20.00 or less per item including pens, pencils, notebooks, paper, book bags, calculators, dictionaries, thesauruses, and children's books and books listed on approved school reading lists for pre-kindergarten through twelfth grade.~~

(vi) 'Prewritten computer software' means computer software, including prewritten upgrades, which is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. Prewritten computer software includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the specific purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software; provided, however, that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software.

(vii) 'School art supply' means an item commonly used by a student in a course of study for artwork.

(viii) 'School computer supply' means an item commonly used by a student in a course of study in which a computer is used.

(ix) 'School instructional material' means written material commonly used by a student in a course of study as a reference and to learn the subject being taught.

(x) 'School supply' means an item commonly used by a student in a course of study.

~~(C) The exemption provided by this paragraph shall not apply to rentals, sales in a theme park, entertainment complex, public lodging establishment, restaurant, or airport or to purchases for trade, business, or resale.~~

~~(D) The commissioner shall promulgate any rules and regulations necessary to implement and administer this paragraph including but not be limited to a list of those articles and items qualifying for the exemption pursuant to this paragraph;"~~

~~"(82)(A) Purchase of ~~energy efficient products~~ Energy Star Qualified Products or ~~water efficient products~~ WaterSense Products with a sales price of \$1,500.00 or less per product purchased for noncommercial home or personal use. The exemption provided by this paragraph shall apply only to sales ~~occurring during periods:~~~~

~~(i) Commencing at 12:01 A.M. on ~~October 5, 2012~~ October 3, 2014, and concluding at 12:00 Midnight on ~~October 7, 2012~~ October 5, 2014; and~~

~~(ii) Commencing at 12:01 A.M. on ~~October 4, 2013~~ October 2, 2015, and concluding at 12:00 Midnight on ~~October 6, 2013~~ October 4, 2015.~~

~~(B) As used in this paragraph, the term:~~

~~(i) '~~Energy efficient product~~' 'Energy Star Qualified Product' means any ~~energy efficient product for noncommercial home or personal use consisting of any dishwasher, clothes washer, air conditioner, ceiling fan, fluorescent light bulb, dehumidifier, programmable thermostat, refrigerator, door, or window which has been designated by the United States Environmental Protection Agency and the United States Department of Energy as meeting or exceeding each such agency's energy saving efficiency requirements or which have been designated as meeting or exceeding such requirements under each such agency's Energy Star program~~ that meets the energy efficient guidelines set by the United States Environmental Protection Agency and the United States Department of Energy and is authorized to carry the Energy Star label.~~

~~(ii) '~~Water efficient product~~' means any product used for the conservation or efficient use of water which has been designated by the United States Environmental Protection Agency as meeting or exceeding such agency's water saving efficiency requirements or which has been designated as meeting or exceeding such requirements under such agency's Water Sense program~~ 'WaterSense Product' means a product authorized to bear the United States Environmental Protection Agency WaterSense label.

~~(C) The exemption provided for in subparagraph (A) of this paragraph shall not apply to purchases of ~~energy efficient products~~ Energy Star Qualified Products or ~~water efficient products~~ WaterSense Products purchased for trade, business, or resale.~~

~~(D) The commissioner shall promulgate any rules and regulations necessary to implement and administer this paragraph;"~~

"(93)(A) For the period commencing January 1, 2012, until June 30, ~~2014~~ 2016, sales of tangible personal property used for and in the construction of a competitive project of regional significance.

(B) The exemption provided in subparagraph (A) of this paragraph shall apply to purchases made during the entire time of construction of the competitive project of regional significance so long as such project meets the definition of a 'competitive project of regional significance' within the period commencing January 1, 2012, until June 30, ~~2014~~ 2016."

SECTION 3.

(a) This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

(b) Section 1 of this Act shall be applicable to all taxable years beginning on or after January 1, 2014.

SECTION 4.

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

Pursuant to Rule 133, Representative Dudgeon of the 25th was excused from voting on HB 958.

Representative Nimmer of the 178th moved that the House agree to the Senate substitute to HB 958.

On the motion, the roll call was ordered and the vote was as follows:

Y Abrams	Y Coomer	N Gregory	Y McCall	Sims, C
Y Alexander	Y Cooper	Y Hamilton	N McClain	Y Smith, E
Y Allison	Y Dawkins-Haigler	Y Harbin	Y Meadows	Y Smith, L
Y Anderson	Y Deffenbaugh	Y Harden	Y Mitchell	Y Smith, M
Y Atwood	Y Dempsey	Y Harrell	N Moore	Y Smith, R
Y Ballinger	E Dickerson	Y Hatcher	Y Morgan	Y Smyre
Y Barr	Y Dickey	Y Hawkins	Y Morris	E Spencer
Y Battles	Y Dickson	Henson	Y Mosby	Y Stephens, M
Y Beasley-Teague	Y Dollar	Y Hightower	Y Nimmer	Y Stephens, R
Y Bell	Y Douglas	Y Hitchens	Y Nix	Y Stephenson
Y Bennett	Y Drenner	Y Holcomb	Oliver	Y Stovall
Y Bentley	Dudgeon	Y Holmes	Y O'Neal	Y Stover
Benton	Y Dukes	Y Holt	Y Pak	Y Strickland
Y Beverly	Y Dunahoo	Y Houston	Y Parrish	Y Talton
Y Black	Y Duncan	Y Howard	Y Parsons	Y Tankersley
Y Braddock	Y Dutton	Y Hugley	Peake	Y Tanner
Y Broadrick	E Efstration	Jackson	Y Pezold	N Tarvin
Y Brockway	Y Ehrhart	Y Jacobs	Y Powell, A	Y Taylor, D
Y Brooks	Y England	E Jasperse	Y Powell, J	Y Taylor, T
Y Bruce	Y Epps, C	Jones, J	Y Prince	Y Teasley
Bryant	Y Epps, J	Y Jones, L	Y Pruett	Y Thomas, A.M.
Y Buckner	Y Evans	E Jones, S	Y Quick	Y Turner

Y Burns	Y Fleming	Y Jordan	Y Ramsey	Y Waites
Y Caldwell, J	Y Floyd	Y Kaiser	Y Randall	Y Watson, B
Y Caldwell, M	Fludd	Y Kelley	Y Rice	Y Watson, S
Y Carson	Y Frazier	Y Kendrick	Y Riley	Y Welch
Y Carter	Y Frye	Y Kidd	Y Roberts	Y Weldon
E Casas	Y Fullerton	Y Kirby	Y Rogers, C	Y Wilkerson
Y Chandler	Y Gardner	Y Knight	Y Rogers, T	Y Wilkinson
Y Channell	Y Gasaway	Y Lindsey	Y Rutledge	Y Willard
N Chapman	Y Geisinger	Y Lumsden	Y Rynders	Y Williams, A
Y Cheokas	Y Glanton	Mabra	Y Scott	Williams, C
Clark, J	E Golick	Y Marin	Y Setzler	Y Williams, E
Y Clark, V	Y Gordon	Y Martin	Y Sharper	Y Williamson
Y Coleman	Y Gravley	Y Maxwell	Y Shaw	Y Yates
Y Cooke	E Greene	Y Mayo	Y Sims, B	Ralston, Speaker

On the motion, the ayes were 153, nays 5.

The motion prevailed.

Representative Meadows of the 5th moved that the following Bill of the Senate be withdrawn from the General Calendar and recommitted to the Committee on Education:

SB 384. By Senators Millar of the 40th, Ligon, Jr. of the 3rd and Miller of the 49th:

A BILL to be entitled an Act to amend Part 2 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to competencies and curriculum relative to education, so as to require a course of study in America's founding philosophy and founding principles; to provide for legislative findings; to provide for a short title; to require certain course content; to require a passing score for graduation; to require state-wide assessments to include certain content; to provide for a biennial report; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

The motion prevailed.

Representative Jacobs of the 80th moved that the following Bill of the Senate be withdrawn from the Committee on Education and recommitted to the Committee on Governmental Affairs:

SB 384. By Senators Millar of the 40th, Ligon, Jr. of the 3rd and Miller of the 49th:

A BILL to be entitled an Act to amend Part 2 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to competencies and curriculum relative to education, so as to require a course of study in America's founding philosophy and founding principles; to provide for

legislative findings; to provide for a short title; to require certain course content; to require a passing score for graduation; to require state-wide assessments to include certain content; to provide for a biennial report; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

The motion prevailed.

Representative Jacobs of the 80th moved that the following Bill of the Senate be taken from the table:

SB 95. By Senators Millar of the 40th, Staton of the 18th, Shafer of the 48th and Cowsert of the 46th:

A BILL to be entitled an Act to amend Article 2 of Chapter 5 of Title 36 of the Official Code of Georgia Annotated, relating to county governing authorities, and Code Section 21-2-139 of the Official Code of Georgia Annotated, relating to the authorization for and conduct of nonpartisan elections, so as to provide that, in counties that utilize a chief executive officer/county commission form of government, all elections for the chief executive officer shall be conducted on a nonpartisan basis; to provide for related matters; to repeal conflicting laws; and for other purposes.

The motion prevailed.

Representative Jacobs of the 80th moved that the following Bill of the Senate be recommitted to the Committee on Rules:

SB 95. By Senators Millar of the 40th, Staton of the 18th, Shafer of the 48th and Cowsert of the 46th:

A BILL to be entitled an Act to amend Article 2 of Chapter 5 of Title 36 of the Official Code of Georgia Annotated, relating to county governing authorities, and Code Section 21-2-139 of the Official Code of Georgia Annotated, relating to the authorization for and conduct of nonpartisan elections, so as to provide that, in counties that utilize a chief executive officer/county commission form of government, all elections for the chief executive officer shall be conducted on a nonpartisan basis; to provide for related matters; to repeal conflicting laws; and for other purposes.

The motion prevailed.

Representative Weldon of the 3rd District, Chairman of the Committee on Juvenile Justice, submitted the following report:

Mr. Speaker:

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

HR 1723 Do Pass

Respectfully submitted,
/s/ Weldon of the 3rd
Chairman

Representative Smith of the 70th District, Chairman of the Committee on Natural Resources and Environment, submitted the following report:

Mr. Speaker:

Your Committee on Natural Resources and Environment has had under consideration the following Resolution of the House and has instructed me to report the same back to the House with the following recommendation:

HR 1724 Do Pass

Respectfully submitted,
/s/ Smith of the 70th
Chairman

Representative Maxwell of the 17th District, Chairman of the Committee on Regulated Industries, submitted the following report:

Mr. Speaker:

Your Committee on Regulated Industries 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 294 Do Pass, by Substitute

Respectfully submitted,
/s/ Maxwell of the 17th
Chairman

Representative Channell of the 120th 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 and Resolutions of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 92	Do Pass, by Substitute	SR 415	Do Pass, by Substitute
SR 783	Do Pass	SR 875	Do Pass, by Substitute
SR 1027	Do Pass, by Substitute		

Respectfully submitted,
/s/ Channell of the 120th
Chairman

The following messages were received from the Senate through Mr. Cook, the Secretary thereof:

Mr. Speaker:

The Senate has passed by substitute, by the requisite constitutional majority, the following bill of the House:

HB 943. By Representatives Hawkins of the 27th, Smith of the 134th, Ramsey of the 72nd, Cooper of the 43rd, Broadrick of the 4th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions regarding insurance generally, so as to require that a health benefit policy that provides coverage for intravenously administered or injected chemotherapy for the treatment of cancer shall provide coverage no less favorable for orally administered chemotherapy; to provide a short title; to provide for definitions; to provide prohibited actions; to provide an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

Mr. Speaker:

The Senate has passed by substitute, by the requisite constitutional majority, the following bill of the House:

HB 978. By Representatives Stephens of the 164th, Hitchens of the 161st, Bryant of the 162nd, Stephens of the 165th, Gordon of the 163rd and others:

A BILL to be entitled an Act to amend an Act creating the Georgia International and Maritime Trade Center Authority, approved April 21, 1995 (Ga. L. 1995, p. 4499), as amended, so as to change the provisions relating to the membership of such authority; to provide an effective date; to repeal conflicting laws; and for other purposes.

Mr. Speaker:

The Senate has agreed to the House substitute to the following bill of the Senate:

SB 213. By Senators Tolleson of the 20th, Sims of the 12th, Burke of the 11th, Hill of the 4th, Chance of the 16th and others:

A BILL to be entitled an Act to amend Article 9 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, the "Flint River Drought Protection Act," so as to clarify legislative intent; to revise definitions; to expand programs and provide for completion of new studies; to provide for additional powers of the director; to provide for new irrigation efficiency requirements; to provide for participation in augmented flow programs; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

HB 646. By Representatives Fleming of the 121st, Harbin of the 122nd, Sims of the 123rd and McCall of the 33rd:

A BILL to be entitled an Act to amend Chapter 25 of Title 47 of the Official Code of Georgia Annotated, relating to the Magistrates Retirement Fund of Georgia, so as to provide that part-time chief magistrates may become members of such fund; to provided for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 742. By Representatives Nix of the 69th, Cooke of the 18th, Stover of the 71st, Pezold of the 133rd, Epps of the 132nd and others:

A BILL to be entitled an Act to amend Code Section 15-6-2 of the O.C.G.A., relating to the number of judges of superior courts, so as to provide for a seventh judge of the superior courts of the Coweta Judicial Circuit; to provide

for the appointment of such additional judge by the Governor; to provide for the election of successors to the judge initially appointed; to prescribe the powers of such judge; to prescribe the compensation, salary, and expense allowance of such judge to be paid by the State of Georgia and the counties comprising said circuit; to authorize the governing authority of the counties that comprise the Coweta Judicial Circuit to provide facilities, office space, supplies, equipment, and personnel for such judges; to declare inherent authority; to repeal conflicting laws; and for other purposes.

HB 750. By Representatives Frye of the 118th, Williams of the 119th, Abrams of the 89th, Cheokas of the 138th, England of the 116th and others:

A BILL to be entitled an Act to amend Code Section 7-1-1001 of the Official Code of Georgia Annotated, relating to exemptions from licensing requirements of mortgage brokers and mortgage lenders, so as to provide for an exemption to mortgage loan originator licensing requirements for employees of certain nonprofit corporations; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 825. By Representatives Houston of the 170th, Greene of the 151st, Powell of the 171st, Watson of the 172nd, Shaw of the 176th and others:

A BILL to be entitled an Act to amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, so as to permit fruit growers licensed as farm wineries to obtain a license authorizing the production of distilled spirits and fortified wines pursuant to certain conditions; to limit the number and location of tasting rooms a farm winery also licensed as a manufacturer of distilled spirits is authorized to have; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 883. By Representatives Strickland of the 111th, Ehrhart of the 36th, Williamson of the 115th, Douglas of the 78th, Fludd of the 64th and others:

A BILL to be entitled an Act to amend Chapter 9 of Title 7 of the Official Code of Georgia Annotated, relating to Georgia merchant acquirer limited purpose banks, so as to correct cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 938. By Representatives Efstoration of the 104th, Kendrick of the 93rd, Brockway of the 102nd, Chandler of the 105th, Clark of the 101st and others:

A BILL to be entitled an Act to provide that future elections for the office of chief magistrate of Gwinnett County shall be nonpartisan elections; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 939. By Representatives Efstoration of the 104th, Kendrick of the 93rd, Brockway of the 102nd, Chandler of the 105th, Clark of the 101st and others:

A BILL to be entitled an Act to provide that future elections for the office of probate judge of Gwinnett County shall be nonpartisan elections; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 982. By Representative Williamson of the 115th:

A BILL to be entitled an Act to amend Chapter 1 of Title 7 of the O.C.G.A., relating to financial institutions, so as to repeal Article 4, relating to the sale of checks or money orders, and Article 4A, relating to the cashing of checks, drafts, or money orders for consideration, and to enact new Articles 4 and 4A; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1106. By Representatives Stephens of the 164th, Watson of the 166th and Tankersley of the 160th:

A BILL to be entitled an Act to create a board of elections and registration for Bryan County; to provide for the board's powers and duties; to provide for the composition of the board and the selection and appointment of members; to provide for the qualifications, terms, and removal of members; to provide for oaths and privileges; to provide for meetings, procedures, and vacancies; to relieve certain officers of powers and duties and to provide for the transfer of functions to the newly created board; to provide for expenditures of public funds; to provide for compensation of members of the board; to provide for the board's performance of certain functions and duties for certain municipalities; to provide for related matters; to provide effective dates; to repeal conflicting laws; and for other purposes.

HB 1111. By Representatives Dickson of the 6th, Broadrick of the 4th and Tarvin of the 2nd:

A BILL to be entitled an Act to authorize the City of Cohutta to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the

"Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

HB 1112. By Representatives Dickson of the 6th, Broadrick of the 4th and Tarvin of the 2nd:

A BILL to be entitled an Act to authorize the City of Varnell to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

HB 1113. By Representatives Tarvin of the 2nd, Broadrick of the 4th and Dickson of the 6th:

A BILL to be entitled an Act to authorize the City of Tunnel Hill to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

HB 1116. By Representative Hitchens of the 161st:

A BILL to be entitled an Act to amend an Act to incorporate the City of Port Wentworth, and to grant a charter to such city, approved February 6, 1957 (Ga. L. 1957, p. 2003), as amended, so as to change the corporate boundaries; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1117. By Representative Hitchens of the 161st:

A BILL to be entitled an Act to amend an Act to incorporate the City of Port Wentworth, and to grant a charter to such city, approved February 6, 1957 (Ga. L. 1957, p. 2003), as amended, so as to change the penalties which may be imposed by the municipal court; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1118. By Representative Hitchens of the 161st:

A BILL to be entitled an Act to amend an Act to incorporate the City of Port Wentworth, and to grant a charter to said city, approved February 6, 1957 (Ga. L. 1957, p. 2003), as amended, so as to change the compensation of the mayor and council; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1120. By Representative Knight of the 130th:

A BILL to be entitled an Act to amend an Act to create a new Charter for the City of Locust Grove, Georgia, in the county of Henry, approved April 7, 1976 (Ga. L. 1976, p. 4426), as amended, so as to provide for qualifications for office; to provide for powers of the city council regarding government organization; to provide for powers and duties of the mayor; to provide for the organizational meeting of the mayor and council; to provide for the termination and discipline of certain officers and employees; to provide for the powers and duties of the city manager; to provide for related matters; to repeal conflicting laws; and for other purposes.

Mr. Speaker:

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

SB 426. By Senators Tippins of the 37th, Thompson of the 14th, Hill of the 32nd and Hill of the 6th:

A BILL to be entitled an Act to amend an Act changing the compensation of the clerk of the superior court, the sheriff, and the judge of the Probate Court of Cobb County from the fee system to the salary system, approved February 9, 1949 (Ga. L. 1949, p. 427), as amended, particularly by an Act approved May 12, 2008 (Ga. L. 2008, p. 3702), so as to change the compensation of the deputy clerk of the superior court; to provide an effective date; to repeal conflicting laws; and for other purposes.

SB 430. By Senators Davenport of the 44th and Seay of the 34th:

A BILL to be entitled an Act to amend an Act creating the State Court of Clayton County, approved January 28, 1964 (Ga. L. 1964, p. 2032), as amended, so as to provide for the imposition and collection of a fee to be used for fulfilling the technological needs of the county police department; to

provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

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

HB 908. By Representatives Riley of the 50th, Coomer of the 14th, Nimmer of the 178th, Smith of the 70th, Nix of the 69th and others:

A BILL to be entitled an Act to amend Code Section 12-8-40.1 of the Official Code of Georgia Annotated, relating to tire disposal restrictions, so as to extend the sunset date for tire fees; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 998. By Representatives Hatchett of the 150th, Parrish of the 158th, Cooper of the 43rd, Watson of the 166th, Nimmer of the 178th and others:

A BILL to be entitled an Act to amend Part 6 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to medical scholarships, so as to revise provisions relating to medical scholarships and loans; to revise provisions relating to the areas to be served as a condition of receiving a scholarship or loan; to revise provisions relating to immediate liability for repayment; to repeal a population act provision; to revise legislative purpose; to provide for related matters; to repeal conflicting laws; and for other purposes.

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

HB 881. By Representatives Epps of the 144th, Powell of the 32nd, Gardner of the 57th, Stephenson of the 90th, Mosby of the 83rd and others:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting beneficial projects or entities, so as to provide for a new special license plate for the Grady Health Foundation; to require a two-thirds' majority vote for passage in accordance with constitutional requirements; to repeal conflicting laws; and for other purposes.

HB 965. By Representatives Cooper of the 43rd, Oliver of the 82nd, Rutledge of the 109th, Watson of the 166th, Broadrick of the 4th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 13 of Title 16 of the O.C.G.A., relating to general provisions relative to controlled substances, so as to provide immunities from certain arrests, charges, or prosecutions for persons seeking medical assistance for a drug overdose; to amend Code Section 3-3-23 of the O.C.G.A., relating to furnishing to, purchase of, or possession by persons under 21 years of age of alcoholic beverages; to provide for related matters; to provide an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

Representative Dutton of the 157th moved that the House stand in recess until 5:00 o'clock, P.M., at which time the House will stand adjourned until 10:00 o'clock, A.M. Tuesday, March 18, 2014.

The Speaker Pro Tem announced the House in recess until 5:00 o'clock, P.M., at which time the House will stand adjourned, pursuant to the adjournment Resolution previously adopted by the House and Senate, until 10:00 o'clock, A.M. Tuesday, March 18, 2014.