

OFFICE OF COMMITTEE SERVICES

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TOMORROW'S FORECAST

- * The House will reconvene for its 13th Legislative Day on Friday, February 5, at 9:00 AM.
- * 1 bill is expected to be debated on the floor.



GEORGIA HOUSE OF REPRESENTATIVES

DAILY REPORT



Thursday, February 04, 2010

12th Legislative Day

TODAY ON THE FLOOR

RULES CALENDAR

HB 54 - Georgia Judicial Retirement System; survivors' benefits; provisions

- **BILL SUMMARY:** This bill relates to survivors' benefits under the Georgia Judicial Retirement System, ceasing spouses' benefits, vesting and designation of survivors benefits. It would provide that certain members of the Georgia Judicial Retirement System who rejected spouses' benefits may elect such benefits by paying to the board of trustees such amount as determined by the actuary as necessary to grant such benefit without creating any accrued actuarial liability. It would also provide that in order to vest for spouses' benefits, such member must have 10 years of membership service.

- **Authored By:** Rep. John Lunsford of the 110th
- **House Committee:** Retirement
- **Rule:** Open
- **Yeas:** 164; **Nays:** 0

HB 486 - Superior Court Clerks' Retirement Fund of Georgia; not entitled credit for service after July 1, 2010; provisions

- **BILL SUMMARY:** This bill eliminates the 8 year credit for Deputy Clerk service for those who enter the Retirement Fund AFTER July 1, 2010. Allows for all elected to the Office of Superior Court Clerk to enter the Retirement Fund on an equal footing. The bill also offers a one time \$5000.00 death benefit to the member's estate.

Fiscal Bill – Although the First year cost is \$3,621, the employer contribution would not need to be raised because the fund is well-funded and the revenue from fines, fees, and bond forfeitures is sufficient to cover additional cost thus there is \$0 dollar impact on fund.

- **Authored By:** Rep. John Meadows of the 5th
- **House Committee:** Retirement
- **Rule:** Open
- **Yeas:** 166; **Nays:** 0

** The House will reconvene Friday, February 5, at 9:00 AM, for its 13th Legislative Day*

COMMITTEE ON RULES

The Committee on Rules has fixed the calendar for the 13th Legislative Day, Friday, February 5, and bills may be called at the pleasure of the Speaker.

TOMORROW ON THE FLOOR

HB 910 - Gender discrimination; Department of Education; annual gender equality reporting; remove requirements

- BILL SUMMARY: This bill removes the requirements from the Department of Education to provide a report on the annual gender equality in school systems to the Georgia General Assembly each year. They will be provided electronically, saving on printing and mailing costs.
- **Authored By:** Rep. Howard Maxwell of the 17th
- **House Committee:** Education
- **House Committee Passed:** 1/28/2010
- **Rule:** Modified-Structured

** The Rules Committee will next meet on Friday, February 5, upon adjournment of the House, to set the Rules Calendar for the 14th Legislative Day.*

COMMITTEE ACTION REPORT

Education

HB 908 - Quality Basic Education Act; expenditures, class size, additional days, salary; temporarily suspend

- BILL SUMMARY: This bill gives local systems total flexibility through waivers that:
 - Eliminate Expenditure Controls – media center, direct instruction, and staff development costs
 - Eliminate Funding for Additional Instruction Days

With this bill, waivers will be available for request by school systems through July 1, 2013.

- Previous provisions regarding maximum class sizes and salary schedules were struck out from the original bill with this committee substitute.
- **Authored By:** Rep. David Casas of the 103rd
- **Committee Action:** Do Pass by Committee Substitute

Intragovernmental Coordination - Local

HB 959 - Arcade, Town of; city council members; staggered terms of office; provide

- BILL SUMMARY: A Bill to provide staggered terms of office for the council members of the Town of Arcade.
- **Authored By:** Rep. Tommy Benton of the 31st
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 961 - Maysville, City of; provide new charter

- BILL SUMMARY: A Bill to provide a new charter for the City of Maysville.
- **Authored By:** Rep. Tommy Benton of the 31st
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 964 - McIntosh County; vehicle registration period; repeal

- BILL SUMMARY: A Bill to repeal an Act providing for a nonstaggered four-month vehicle registration period for McIntosh County.
- **Authored By:** Rep. Roger B. Lane of the 167th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 1010 - South Georgia Regional Information Technology Authority; change certain provisions

- BILL SUMMARY: A Bill to amend the Act creating the South Georgia Regional Information Technology Authority so as to include Seminole and Terrell Counties as members of the authority and to change definitions in the Act accordingly.
- **Authored By:** Rep. Gerald E Greene of the 149th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 1025 - Thomas County; board of elections and registration; create

- BILL SUMMARY: A Bill to create a board of elections and registration in Thomas County and to provide for its powers and duties.
- **Authored By:** Rep. Mike Keown of the 173rd
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 1042 - Dahlonega, City of, in the County of Lumpkin; special elections; provide

- BILL SUMMARY: A Bill to provide for special elections to fill vacancies in the offices of mayor and city council in the City of Dahlonega.
- **Authored By:** Rep. Amos Amerson of the 9th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 1044 - Miller County; Board of elections; create

- BILL SUMMARY: A Bill to create a board of elections for Miller County and provide for its powers and duties.
- **Authored By:** Rep. Gerald E Greene of the 149th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 1045 - Berrien County; office of elected county surveyor; abolish

- BILL SUMMARY: A Bill to abolish the office of elected county surveyor of Berrien County and authorize the county commission to appoint a county surveyor.
- **Authored By:** Rep. Penny Houston of the 170th
- **Committee Action:** Do Pass

State Institutions & Property

HB 1030 - Corrections, Department of; amend various titles; provisions

- BILL SUMMARY: This bill would move the parole supervision function under Pardons and Parole to the Department of Corrections.
- **Authored By:** Rep. Jim Cole of the 125th
- **Committee Action:** Do Pass by Committee Substitute

State Planning & Community Affairs

HB 703 - County property; granted first right to purchase condemned property; provide

- BILL SUMMARY: House Bill 703 requires that county's contact original owners before selling previously condemned property or their next of kin if the original owner is deceased. This will allow for either the original owner or next of kin to be the first to purchase property that is being disposed of.
- **Authored By:** Rep. Tommy Smith of the 168th
- **Committee Action:** Do Pass by Committee Substitute

State Planning & Community Affairs

HB 980 - Public officers and employees; school board members in bail bond business; modify provisions

- BILL SUMMARY: This Bill would allow elected officials to the local school board to be involved in the bail bond business. These members will be able to participate in the business within the jurisdiction of the office he or she is elected.
- **Authored By:** Rep. Roger B. Lane of the 167th
- **Committee Action:** Do Pass

State Planning & Community Affairs

HB 1011 - Gambling; cruise ships may engage in lawful gambling while in transit; provisions

- BILL SUMMARY: This bill will allow gambling vessels to begin activities when they leave the dock as long as the vessel is in transit to waters outside of Georgia's territorial waters. Activities must be concluded before the vessel has completed its voyage and docked.
- **Authored By:** Rep. Cecily Hill of the 180th
- **Committee Action:** Do Pass

Ways & Means

HB 963 - Ad valorem tax; returns of taxable real property; change certain provisions

- BILL SUMMARY: HB 963 eliminates inconsistencies within the ad valorem tax code. In section 1, it eliminates the requirement that property tax returns be submitted in person or by mail. This provision conflicts with another section in the ad valorem code allowing for electronic filing of returns. This bill will allow for electronic filing of such returns.
- Section 2 clears up an inconsistency in the code section providing a homestead exemption for those that are 62 and older with income of \$10,000 or less. When an amendment to this section was passed several years ago to change the calculation of income to include only the net income of the resident and spouse rather than the gross income of everyone residing in the homestead, the statute was only changed in one of two places, and therefore is internally inconsistent. The result is that counties are applying the law inconsistently, with some counties not implementing the relaxed requirements of the prior amendment. The bill makes the technical correction so that the provision uniformly provides for a calculation based on the net income of the applicant and spouse only.
- **Authored By:** Rep. Larry O'Neal of the 146th
- **Committee Action:** Do Pass

Ways & Means

HB 991 - Sales and use tax; county and municipal; distribution of proceeds; revise

- BILL SUMMARY: HB 56 changes provisions applicable to the renegotiations of distribution of joint county and municipal sales tax collections. Currently, should an agreement not be reached by the second year following a decennial census, the distribution certificate expires and the local governing authorities do not receive the tax proceeds until the distribution certificate is renegotiated.
- HB 56 provides for judicial proceedings should the parties involved not be able to reach an agreement after sixty days of non-binding arbitration or mediation. After sixty days, any party may file a petition in superior court of the county seeking resolution of the dispute. The petition will be assigned to a judge who is not a judge in the circuit in which the county is located. The judge's decision as to the allocation of tax proceeds shall adopt the best and final offer of one of the parties and shall also include findings of fact. The judge enters a final order which contains a new distribution certificate, and appeals will be allowed only for the judge's disregard of the law, for partiality of the judges, or for corruption, fraud, or misconduct by the judge or a party.
- **Authored By:** Rep. Wendell Willard of the 49th
- **Committee Action:** Do Pass

Ways & Means

HB 1028 - Ad valorem tax; forest land conservation use property; revise provisions

- BILL SUMMARY: The Forest Land Protection Act passed in 2008 provided that when breach of a forest land covenant occurs following the transfer of a portion of the tract to another owner, that the penalty and interest shall be paid by either the acquiring owner or the transferor, whichever breached the covenant. However, Dept. of Revenue rules and regulations promulgated on this act provide that if the penalty and interest is not satisfied by the breaching party then the local governments may seek recovery from the non-breaching party's property interest, and may file a lien against that property. This bill would clarify that only the portion on which the breach occurred will be subject to penalty and interest, and only that portion of the land may be subject to a lien.
- **Authored By:** Rep. Jay Roberts of the 154th
- **Committee Action:** Do Pass by Committee Substitute

* Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.



COMMITTEE MEETING SCHEDULE

Friday, February 05, 2010

TBD	<u>RULES</u>	341 CAP- Upon Adjournment
8:30 AM - 9:00 AM	<u>Tax Reform Subcommittee of Ways & Means</u>	133 CAP
11:30 AM - 12:30 PM	<u>INFORMATION & AUDITS</u>	515 CLOB
1:00 PM - 3:00 PM	<u>Setzler Subcommittee of Judiciary Non-Civil</u>	132 CAP

** This broadcast schedule is up to date at the time of this report, but meetings dates and times are subject to change. To keep up with the latest schedule please visit the General Assembly website www.legis.ga.gov and click on House Meetings. To view the live stream of these meetings, please visit the Georgia Legislative Network.*