

OFFICE OF COMMITTEE SERVICES

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TOMORROW'S FORECAST

- * The House will reconvene for its 16th Legislative Day on Wednesday, February 10, at 10:00 AM.
- * 2 bills are expected to be debated on the floor.

**GEORGIA HOUSE OF REPRESENTATIVES****DAILY REPORT**

Tuesday, February 09, 2010

15th Legislative Day

TODAY ON THE FLOOR**RULES CALENDAR****HB 896 - Continuances; witness on active duty; change provisions**

- BILL SUMMARY: When a defendant demands a speedy trial a continuance tolls the running of that demand if a necessary witness is unavailable for trial because of deployment. The current Code requires a request to the proper military authority, pursuant to the United States Code and other regulations.

The bill strikes the current provisions and only requires a party to provide testimony via affidavits or other documents that the witness has been activated to military duty

- **Authored By:** Rep. Doug Collins of the 27th
- **House Committee:** Judiciary Non-Civil
- **Rule:** Modified-Open
- **Yeas:** 149; **Nays:** 1

HB 898 - Driving under the influence; notice of conviction publication; change provisions

- BILL SUMMARY: Currently, if a person is convicted of a second or subsequent DUI within 5 years, then the notice of conviction is published in the local paper. The publication includes, among other information, the photograph, name, and address of that person.

The bill strikes the provision that the convicted person's address will be published.

- **Authored By:** Rep. Doug Collins of the 27th
- **House Committee:** Judiciary Non-Civil
- **Rule:** Modified-Structured
- **Yeas:** 152; **Nays:** 8

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
- **House Committee:** Education
- **Rule:** Modified-Structured
- **Yeas:** 137; **Nays:** 34

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
- **House Committee:** Ways & Means
- **Rule:** Structured
- **Yeas:** 162; **Nays:** 4

** The House will reconvene Wednesday, February 10, at 10:00 AM, for its 16th Legislative Day*

COMMITTEE ON RULES

The Committee on Rules has fixed the calendar for the 16th Legislative Day, Wednesday, February 10, and bills may be called at the pleasure of the Speaker.

TOMORROW ON THE FLOOR

HB 542 - Public School Employees Retirement System; maximum allowable benefit; increase

- BILL SUMMARY: This bill relates to retirement benefits payable upon normal, early or delayed retirement under the Public School Employees Retirement system so as to increase the maximum allowable benefit contingent upon funding.

- **Authored By:** Rep. Brooks Coleman of the 97th
- **House Committee:** Retirement
- **House Committee Passed:** 2/3/2010
- **Rule:** Modified-Structured

HB 969 - Retirement and pensions; comply with federal law; amend certain provisions

- BILL SUMMARY: The bill authorizes the payment of death benefits if a member of a retirement system dies while performing qualified military service. It clarifies provisions regarding the distribution of benefits for persons who have reached the age 70 ½. It specifies that earnable compensation for members of TRS will include deferral contributions as defined by Internal Revenue Code. It clarifies the definition of "plan year" for TRS. Stipulates that "pick-up" contributions paid by employers as pre-tax employee contributions must be paid as retirement contributions that are 100% vested and cannot be received by the members in cash. Requires the employer to certify the retirement date for a member of the TRS and to certify no agreement exists to allow the employee to return to service. It also amends other provisions within TRS, requiring members who wish to purchase additional creditable service to file their application and make their payment at the same time that they file their application for retirement. The bill makes technical corrections to ensure that 60 is the age reported as the normal retirement age in all sections that refer to TRS. It lastly amends provisions relating to the return to service of retired members under the Public School Employees Retirement System.

- **Authored By:** Rep. Howard Maxwell of the 17th
- **House Committee:** Retirement
- **House Committee Passed:** 2/3/2010
- **Rule:** Open

** The Rules Committee will next meet on Wednesday, February 10, at 09:00 AM, to set the Rules Calendar for the 17th Legislative Day.*

COMMITTEE ACTION REPORT

Game, Fish, & Parks

HB 1000 - Seasons and bag limits; bears; change limits

- BILL SUMMARY: This bill increases the bag limit on hunting bear in Georgia from 1 to 3 bear per year. Up to two bear per managed hunt may be allowed on wildlife management areas without complying with the statewide bag limit. It will also legalize the hunting of bear less than 75 pounds.
- **Authored By:** Rep. Stephen Allison of the 8th
- **Committee Action:** Do Pass by Committee Substitute

Game, Fish, & Parks

HB 1058 - Seafood; possessing weakfish; change certain provisions

- BILL SUMMARY: This bill reduces the Weakfish possession limit to (1) per year. The current limit is (6).
- **Authored By:** Rep. Bob Lane of the 158th
- **Committee Action:** Do Pass

Governmental Affairs

HB 1092 - Georgia Sports Hall of Fame Authority; reconstitute governance; provisions

- BILL SUMMARY: HB 1092 reconstitutes the governance of the Georgia Sports Hall of Fame Authority by providing for a new governing board for the authority and its members and their appointments, terms, vacancies, duties, and compensation. Further, it provides for appropriate staff of the authority and authorizes the board to create and enter into a nonprofit corporation to assist with certain functions of the authority. Finally, it provides that the Georgia Sports Hall of Fame Authority and the Georgia Music Hall of Fame Authority shall to the maximum extent possible work jointly to realize efficiencies and economies in the operation of their adjacent facilities.
- **Authored By:** Rep. Jim Cole of the 125th
- **Committee Action:** Do Pass by Committee Substitute

Judiciary

HB 917 - Uniform Interstate Depositions and Discovery Act; enact

- BILL SUMMARY: The new Uniform Interstate Depositions and Discovery Act ('Uniform Act') contained in this bill permits a domestic subpoena to be issued upon presentation of a foreign subpoena to the clerk of the court and applies to all types of discovery, not just depositions.
- The main provision of the current Uniform Act would be retained so a commission from a foreign court could still be used to take a deposition in Georgia.
- **Authored By:** Rep. Mike Jacobs of the 80th
- **Committee Action:** Do Pass by Committee Substitute

Special Rules

SR 274 - Liberty Tree of Georgia; designate tulip poplar adjacent to Dalton City Hall

- BILL SUMMARY: This resolution would designate a tulip poplar tree in Dalton, GA as the Liberty Tree of Georgia. This tree was a sapling taken from the last original Liberty Tree that was planted at the time of the American Revolution.
- **Authored By:** Sen. Don Thomas of the 54th
- **Committee Action:** Do Pass

State Institutions & Property

HB 382 - State purchasing; free market competition; provide

- BILL SUMMARY: This bill modifies provisions relating to goods and services required to be obtained from correctional industries and provides that goods and services shall only be required to be obtained from correctional industries when the goods or services are of equal or better quality or costs as similarly available goods and services.
- **Authored By:** Rep. John Lunsford of the 110th
- **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

Wednesday, February 10, 2010

8:00 AM - 9:00 AM	<u>SCIENCE & TECHNOLOGY</u>	506 CLOB
8:00 AM - 10:00 AM	<u>Lane Subcommittee of Judiciary Civil</u>	132 CAP
8:00 AM - 9:00 AM	<u>APPROPRIATIONS</u>	341 CAP
9:00 AM - 10:00 AM	<u>RULES</u>	341 CAP
1:00 PM - 3:30 PM	<u>JUDICIARY NON-CIVIL</u>	132 CAP
1:00 PM - 2:00 PM	<u>Keown Subcommittee of Science & Technology</u>	515 CLOB
1:30 PM - 2:30 PM	<u>HUMAN REALTIONS & AGING</u>	415 CLOB
2:00 PM - 4:00 PM	<u>JOINT ENERGY AND NATURAL RESOURCES</u>	341 CAP
2:00 PM - 3:00 PM	<u>General Government Subcommittee of Governmental Affairs</u>	515 CLOB
2:00 PM - 3:00 PM	<u>Income Tax Subcommittee of Ways & Means</u>	133 CAP
2:00 PM - 3:00 PM	<u>RETIREMENT</u>	403 CAP- CANCELED
2:00 PM - 3:00 PM	<u>PUBLIC SAFETY & HOMELAND SECURITY</u>	606 CLOB
2:30 PM - 3:30 PM	<u>REGULATED INDUSTRIES</u>	415 CLOB
3:00 PM - 5:00 PM	<u>Jacobs Subcommittee of Judiciary Civil</u>	406 CLOB
3:00 PM - 4:00 PM	<u>Willard Subcommittee of State Planning</u>	403 CAP
3:00 PM - 4:00 PM	<u>Ad Valorem Subcommittee of Ways & Means</u>	133 CAP
3:00 PM - 4:30 PM	<u>Tax Incentives Subcommittee of Small Business Development</u>	515 CLOB
3:00 PM - 5:00 PM	<u>HEALTH & HUMAN SERVICES</u>	606 CLOB- CANCELED

* 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.