

TOMORROW'S FORECAST

- * The House will reconvene for its 5th Legislative Day on Friday, January 13, at 09:00 AM.
- * No bills are expected to be debated on the floor.



GEORGIA HOUSE OF REPRESENTATIVES

DAILY REPORT

Thursday, January 12, 2012

4th Legislative Day

TODAY ON THE FLOOR

There were no bills debated on the floor of the House today.

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

COMMITTEE ACTION REPORT

Education

HB 705 - Education; direct classroom expenditures; revise definition

- BILL SUMMARY: House Bill 705 is revising the definition relating to minimum direct classroom expenditures. 'Direct classroom expenditures' means all expenditures by a local school system during a fiscal year associated with the interaction between teachers and students. With House Bill 705 this will now include technology, costs for transportation, instructional support including media centers and guidance counselors.

- **Authored By:** Rep. Mike Dudgeon of the 24th
- **Committee Action:** Do Pass

Education

HB 706 - Elementary and secondary education; delete and clarify provisions

- BILL SUMMARY: House Bill 705 is revising the definition relating to minimum direct classroom expenditures. 'Direct classroom expenditures' means all expenditures by a local school system during a fiscal year associated with the interaction between teachers and students. With House Bill 705 this will now include technology, costs for transportation, instructional support including media centers and guidance counselors. -DB

House Bill 706 is repealing unnecessary code sections and updating wording of Title 20 which is related to elementary and secondary education.

SECTION 1: Removes that the State Board of Education must meet at the state capitol in the Department of Education or at a place in the capitol that is designated by the Governor for that purpose.

SECTION 2: Revises code section relating to the duties of the chairperson of the State Board of Education.

SECTION 3: Revises committee meetings of the State Board of Education and where they may be held. Provides flexibility.

SECTION 4: Repeals and reserves Code Section 20-2-12, relating to educational television programs.

SECTION 5: Repeals and reserves Code Section 20-2-100, relating to substituting county school superintendent for county school commissioner.

SECTION 6: Amends the oath of the county school superintendent.

SECTION 7: Revises the eligibility requirements for student enrollment.

SECTION 8: Amends code section concerning distribution of federal funds by repealing area relating to "Summer Opportunity Program".

SECTION 9: Revises annual performance evaluations for school personnel.

SECTION 10: Repeals and reserves Code Section 20-2-212.3, relating to increasing teachers' salaries in areas of shortage.

SECTION 11: Repeals and reserves Code Section 20-2-213, relating to an addition 5% increase in teacher salary based on student

performance.

SECTION 12: Repeals and reserves Code Section 20-2-213, relating to career ladder programs.

SECTION 13: Repeals Code Section 20-2-231, relating to Georgia Education Leadership Academy.

SECTION 14: Repeals Code Section 20-2-232, relating to staff development plans by local school systems.

SECTION 15: Amends the powers and duties of the State Board of Education relating to no longer having the ability to organize and reorganize the Department of Education.

SECTION 16: Repeals and reserves Code Section 20-2-251- relating to demonstration programs.

SECTION 17: Repeals and reserves Code Section 20-2-252, relating to electronic technology.

SECTION 18: Repeals and reserves Code Section 20-2-253, relating to achievement grants

SECTION 19: repeals and reserves Code Section 20-2-254, relating to educational research.

SECTION 20: Adds a new subsection relating to the establishment of a state-wide network of regional educational service agencies.

SECTION 21: Amends area relating to assessment of effectiveness of educational programs. Removes mention of Code Section 20-2-213 since it is repeals and reserves earlier in this bill.

SECTION 22: Repeals Code Section 20-2-285.1, relating to provisions applicable to third grade criterion reference reading assessment students.

SECTION 23: Repeals and reserves Code Section 20-2-303, relating to educational television.

SECTION 24: Repeals and reserves Code Section 20-2-312, relating to a state program for middle school children during nonschool hours.

SECTION 25: Revises this section by removing the declaration of rules and regulations for contracts or purchases over \$100.00, purchases over \$100,00.00

SECTION 26: Repeals and reserves Code Section 20-2-501, relating to the prohibition of contracts or purchases over \$100.00 which are not compliance with rules and regulations.

SECTION 27: Repeals and reserves Code Section 20-2-502, relating to disciplining measures for violations for Code Section 20-2-501.

SECTION 28: Repeals and reserves Code Section 20-2-503, relating to authority of local boards of education to purchase education information, literature and services.

SECTION 29: Repeals and reserves Article 15, relating to school census.

SECTION 30: Relates to requirements for home study programs. Paperwork will be submitted to the Department of Education, no longer the superintendent of schools of the local school district where the home student program is located.

SECTION 31: Related to mandatory education for children between ages six and 16. This section adds that the Department of Education has authority in case of home study programs.

SECTION 32: Adds the Department of Education to administration and enforcement of compulsory attendance laws.

SECTION 33: Adds the Department of Education to report truants to juvenile or other courts relating to attendance.

SECTION 34: Repeals Code Section 20-2-741, relating to local boards of education sending copies of student codes of conduct to the Department of Education.

SECTION 35: Repeals and reserves Code Section 20-2-771.1, relating to voluntary reenrollment of children.

SECTION 36: Repeals and reserves Code Section 20-2-960, relating to requiring bonds of principals.

SECTION 37: Relating to the authority of the Professional Standards Commission, repeals and reserves subsection (e), relating to demonstration plans under Code Section 20-2-251.

SECTION 38: Repeals and reserves Article 20, the "Education Partnership Act of 1990".

SECTION 39: Repeals and reserves Code Section 20-2-1183, relating to possession of electronic communication devices in school.

-DB

- **Authored By:** Rep. Mike Dudgeon of the 24th

- **Committee Action:** Do Pass

Education

HB 713 - Quality Basic Education Act; career and college readiness initiatives; delay implementation

- **BILL SUMMARY:** House Bill 713 is making minor changes to House Bill 186. It delays the implementation of some career and college readiness initiatives until the 2013-2014 school year. It adds a section stating that the State Board of Education shall require a career education study in grades kindergarten through 12. House Bill 713 also changes the mandated assessment for postsecondary readiness to the end of the 11th grade.

- **Authored By:** Rep. Randy Nix of the 69th

- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 700 - Effingham County; Board of Education; correct dates of certain elections

- BILL SUMMARY: A Bill to provide terms of office for the members of the Effingham County Board of Education.
- **Authored By:** Rep. Ann Purcell of the 159th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 708 - Jones County; Board of Education; change description of districts

- BILL SUMMARY: A Bill to reapportion the Jones County Board of Education.
- **Authored By:** Rep. James Epps of the 140th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 710 - Jones County; Board of Commissioners; reapportion commissioner districts

- BILL SUMMARY: A Bill to reapportion the Jones County Board of Commissioners.
- **Authored By:** Rep. James Epps of the 140th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 712 - Pickens County; Board of Commissioners; clarify dates; change description of districts

- BILL SUMMARY: A Bill to reapportion the Pickens County Board of Commissioners.
- **Authored By:** . Rick Jasperse of the 12th
- **Committee Action:** Do Pass

Judiciary

HB 683 - Garnishment proceedings; filing of certain answers may be done by authorized officers or employees; provisions

- BILL SUMMARY: On September 12, 2011, the Supreme Court of Georgia approved Unauthorized Practice of Law Committee Advisory Opinion 2010-1, which concludes that "a nonlawyer who answers for a garnishee other than himself in a legal proceeding pending with a Georgia court of record is engaged in the unlicensed practice of law."

The State Bar Executive Committee filed a brief suggesting that a change in court rules might remedy what appeared to be an impracticable result. Justice Nahmias filed a concurrence suggesting that legislation rather than court rules may be required to allow businesses and institutions to resume the business practice of having non-lawyer personnel fill out large numbers of garnishment response forms.

HB 683 addresses the garnishment issue by clarifying that the "garnishee answer" is not to be considered an answer or a civil pleading under the Civil Practice Act. Therefore, when an entity is a garnishee under the chapter, the entity's authorized officer or employee does not have to be an attorney to file the garnishee answer. If a traverse or claim is filed to the entity's answer, the entity would then be required to hire an attorney in further garnishment proceedings.

HB 683 also clarifies service of summons of garnishment on corporations in accordance with the Civil Practice Act and 9-11-4. Finally, it raises the cap of what a garnishee may receive for actual reasonable expenses in answering a garnishment from \$50 to \$100.

The committee substitute made some technical changes.

- **Authored By:** Rep. Wendell Willard of the 49th
- **Committee Action:** Do Pass by Committee Substitute

Ways & Means

HB 319 - Sales and use tax exemptions; nonprofit health centers, clinics, and food banks; extend

- BILL SUMMARY: HB 319 seeks to provide a two and one half year exemption for sales tax paid by certain non-profit groups. The exemption begins on July 1, 2012 and continues through December 31, 2012.

- In Section 1 of the legislation, the bill provides an exemption on sales tax for tangible personal property to a federally qualified nonprofit health centers (FQHC).
 - In Section 2 of the legislation, the bill provides an exemption on sales tax for sales of tangible personal property and services to a nonprofit volunteer health clinics.
 - In Section 3 of the legislation, the bill provides an exemption on sales tax for sales of food and food ingredients to a qualified food banks.
 - In Section 4 of the legislation, the bill provides an exemption on sales tax for prepared food donated to a non-profit organization for the purposes of hunger relief.
 - In Section 5 of the legislation, the bill provides an exemption on sales tax for prepared food donated to during times of a natural disaster and is used for disaster relief purposes.
 - In Section 6 of the legislation, the bill provides an exemption on sales tax for the sale of tangible personal property and services to a qualified job training organizations. Only after these “qualified job training organizations” obtains an exemption letter from the Commissioner of Revenue.
- **Authored By:** Rep. Ron Stephens of the 164th
- **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.*

SCHEDULE

Friday, January 13, 2012

TBD [Floor Session](#) HOUSE CHAMBER (9:00am)

** This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule please visit the General and click on [Meetings Calendar](#).*
