

TOMORROW'S FORECAST

* The House will reconvene for its 13th Legislative Day on Thursday, February 2, at 10:00 AM.



GEORGIA HOUSE OF REPRESENTATIVES

DAILY REPORT

Wednesday, February 01, 2012

12th Legislative Day

TODAY ON THE FLOOR

RULES CALENDAR

HB 542 - Employees' Retirement System of Georgia; transfer service credit; provide

- BILL SUMMARY: HB542 provides that any member of the Employees Retirement System (ERS) who was previously a member of the Judicial Retirement System (JRS) may elect to have all contributions made by the employer and the employee transferred to ERS. Notification must be made to the board of trustees by December 31, 2012. The member shall receive creditable service, not to exceed the actual years of prior service, based on the actual amount transferred or paid so as not to create any liability on the retirement system.

This is a fiscal retirement bill.

- **Authored By:** Rep. Jay Powell of the 171st
- **House Committee:** Retirement
- **Rule:** Open
- **Amendments(s):** N/A
- **Yeas:** 160; **Nays:** 1

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

- BILL SUMMARY: 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 repealed 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

- **House Committee:** Education

- **Rule:** Modified-Structured

- **Amendments(s):** N/A

- **Yeas:** 162; **Nays:** 0

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COMMITTEE ACTION REPORT

Agriculture & Consumer Affairs

HB 681 - Food sales and service establishments; revise definitions; exempt certain activities

- **BILL SUMMARY:** The substitute (LC 40 0075S) amends O.C.G.A. 26-2-21 relating to the standards, labeling and adulteration of food by revising the paragraph relative to food sales establishments.

Section 1

The existing paragraph (5) states, The term shall not include 'food service establishments' as defined in Code Section 26-2-370. This term shall also not include establishments engaged in the sale of food primarily for consumption off the premises if such sale:"

Inserting technical or housekeeping changes for paragraph (A) through (C) to change it to (A) i to (A) iii as well as, provide for the insertion of a new subparagraph (B) which reads as follows:

(B) Is an authorized part of a fundraising activity conducted by a public or private school or by a religious, charitable, or similar nonprofit organization, in which one or

more licensed food sales establishments sells food in accordance with the requirements of this article.

Section 2

Said chapter is further amended by revising paragraph 2 of Code Section 26-2-370, relating to definitions relative to food service establishments.

Inserting changes for paragraph (A) through (C) to change it to (i) to (iii) as well as, provide for the insertion of a new language in (A) Is an authorized part of and occurs upon the site of a fair, festival or special event which:

(i) Is sponsored by a political subdivision of this state or be an organization exempt from taxes under paragraph 1 of subsection (a) of Code Section 48-7-25 or under Section 501(d) or paragraph (1) through (8) or paragraph (10) of Section 501 © of the Internal Revenue Code, as that code is defined in Code Section 48-1-2:

(ii) Lasts 120 Hours or less; and

(iii) When sponsored by such an organization, is authorized to be conducted pursuant to a permit issued by the municipality or county in which it is conducted; or

Subparagraph (B) which reads as follows:

(B) Is an authorized part of a fundraising activity conducted by a public or private school or by a religious, charitable, or similar nonprofit organization, in which one or more permitted food service establishments sells or distributes edible products prepared by such food service establishment in accordance with the requirements of this article.

- **Authored By:** Rep. Pam Dickerson of the 95th
- **Committee Action:** Do Pass by Committee Substitute

Agriculture & Consumer Affairs

HB 832 - Vidalia onion trademark; royalty and license fee not exceed a certain amount; eliminate requirement

- **BILL SUMMARY:** The legislation amends Code Section 2-14-132.1 of the O.C.G.A relating to Vidalia onion trademark, royalty and license fees.

Section 1

Removes the language setting the royalty and license fee at .05 cents for each six ounces or part there of, for a food product using the Vidalia onion in the product and the Vidalia onion trademark.

Section 2

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

- **Authored By:** Rep. Tom McCall of the 30th
- **Committee Action:** Do Pass

Health & Human Services

SB 183 - Education; school health nurse programs; revise provisions

- **BILL SUMMARY:** This bill amends §20-2-771.2 to allow local boards of education to consult with off-campus health care professionals, using appropriate protocols and contracts, for the school nurse program. This includes telemedicine.

- **Authored By:** Sen. Greg Goggans of the 7th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 752 - Jasper County; board of commissioners; provide staggered terms

- **BILL SUMMARY:** A Bill to reapportion the Jasper County Board of Commissioners.

- **Authored By:** Rep. Susan Holmes of the 125th
- **Committee Action:** Do Pass by Committee Substitute

Intragovernmental Coordination - Local

HB 753 - Jasper County; Board of Education; change description of districts

- BILL SUMMARY: A Bill to reapportion the Jasper County Board of Education.
- **Authored By:** Rep. Susan Holmes of the 125th
- **Committee Action:** Do Pass by Committee Substitute

Intragovernmental Coordination - Local

HB 764 - McIntosh County; Board of Education; change description of districts

- BILL SUMMARY: A Bill to reapportion the McIntosh County Board of Education.
- **Authored By:** Rep. Roger B. Lane of the 167th
- **Committee Action:** Do Pass by Committee Substitute

Intragovernmental Coordination - Local

HB 765 - McIntosh County; Board of Commissioners; change description of districts

- BILL SUMMARY: A Bill to reapportion the McIntosh County Board of Commissioners.
- **Authored By:** Rep. Roger B. Lane of the 167th
- **Committee Action:** Do Pass by Committee Substitute

Intragovernmental Coordination - Local

HB 784 - Haralson County; board of education; change description of districts

- BILL SUMMARY: A Bill to reapportion the Haralson County Board of Education.
- **Authored By:** Rep. Howard Maxwell of the 17th
- **Committee Action:** Do Pass by Committee Substitute

Intragovernmental Coordination - Local

HB 803 - Gilmer County; Board of Education; change description of districts

- BILL SUMMARY: A Bill to reapportion the Gilmer County Board of Education.
- **Authored By:** Rep. David Ralston of the 7th
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 812 - Douglas County; Board of Education; change description of districts

- BILL SUMMARY: A Bill to reapportion the Douglas County Board of Education.
- **Authored By:** Rep. Bill Hembree of the 67th
- **Committee Action:** Do Pass by Committee Substitute

Intragovernmental Coordination - Local

HB 815 - Central State Hospital Local Redevelopment Authority Act; enact

- BILL SUMMARY: A Bill to create the Central State Hospital Local Redevelopment Authority and to provide for its powers and duties.
- **Authored By:** Rep. E. Culver "Rusty" Kidd of the 141st
- **Committee Action:** Do Pass by Committee Substitute

Intragovernmental Coordination - Local

HB 823 - Henry County; appointment of county surveyor; provide

- BILL SUMMARY: A Bill to abolish the elective office of County Surveyor in Henry County and to provide for the office to be appointive.
- **Authored By:** Rep. Andrew J. Welch of the 110th
- **Committee Action:** Do Pass

Judiciary Non-Civil

HB 342 - Stalking; family violence order; define

- BILL SUMMARY: The bill will expand the definition of a family violence order as used in this section of the Code and allow law enforcement to arrest a perpetrator upon observing a violation of a magistrate's restraining order.
- **Authored By:** Rep. Doug McKillip of the 115th
- **Committee Action:** Do Pass by Committee Substitute

Judiciary Non-Civil

HB 648 - Legal services for indigents; certain fees to fund accused; change provisions

- BILL SUMMARY: HB 648 establishes the statutory framework to dedicate funding for the Georgia Public Defender Standards Council which is charged with the power and authority to provide legal services for indigent persons accused of crimes and delinquent acts.

HB 648 is subject to the passage and ratification of a constitutional amendment proposed in HR 977.

- **Authored By:** Rep. Rich Golick of the 34th
- **Committee Action:** Do Pass

Judiciary Non-Civil

HR 977 - Legal services for indigent; dedicate existing fees; provide - CA

- BILL SUMMARY: HR 977 amends Article III, Section IX, Paragraph VI of the Constitution by adding a new subparagraph to provide that certain existing fees and assessments be dedicated to fund legal services for indigent persons accused of crimes and delinquent acts.
- **Authored By:** Rep. Rich Golick of the 34th
- **Committee Action:** Do Pass by Committee Substitute

Regulated Industries

HB 166 - Engineers and land surveyors; certification eligibility; change requirements

- BILL SUMMARY: The bill relates to professional engineers and land surveyors. The legislation changes the eligibility requirements for certification of engineer-in-training prior to July 1, 2012 and after July 1, 2012. The bill also amends the Code Section 43-15-9 relating to professional engineer certificate for those applying prior to July 1, 2014 and those applying on or after July 1, 2014.

In regards to land surveyors the legislation changes the eligibility requirements for land surveyor-in-training prior to July 1, 2015 and the land surveyor certificate of registration.

- **Authored By:** Rep. Alan Powell of the 29th
- **Committee Action:** Do Pass by Committee Substitute

Regulated Industries

HB 514 - Distilled spirits; free tastings on premises; authorize

- BILL SUMMARY: The bill amends Code Section 3-4-180 and provides for a definition of 'free tastings' of tax paid varieties of distilled spirits. 'Free tastings' means the provision of complimentary samples of distilled spirits to the public for consumption on the premises of a distiller. The legislation also provides a definition of 'sample,' which is one-half of one ounce of distilled spirits.

The commissioner shall, upon proper application issue an annual permit to any distiller licensed in the state authorizing such distiller to conduct educational and promotional distillery tours which may include free tastings by members of the public of tax-paid varieties of distilled spirits manufactured by such distiller.

No distiller conducting free tastings under this Code section shall provide, directly or indirectly, more than the one sample to a person in one calendar day. Free tastings shall be held in a designated tasting area on the premises of the distiller and all open bottles shall be visible at all times.

- **Authored By:** Rep. E. Culver "Rusty" Kidd of the 141st
- **Committee Action:** Do Pass

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

COMMITTEE MEETING SCHEDULE

Thursday, February 02, 2012

TBD	Floor Session	HOUSE CHAMBER (10:00am)
7:30 AM - 8:30 AM	APPROPRIATIONS	341 CAP
8:00 AM - 9:00 AM	NATURAL RESOURCES & ENVIRONMENT	606 CLOB- CANCELED
8:30 AM - 9:00 AM	PUBLIC SAFETY & HOMELAND SECURITY	506 CLOB
9:00 AM - 10:00 AM	RULES	341 CAP
1:00 PM - 4:00 PM	JOINT EDUCATION	506 CLOB
1:00 PM - 4:00 PM	SPECIAL COMMITTEE ON SMALL BUSINESS DEVELOPMENT & JOB CREATION	406 CLOB
2:00 PM - 3:00 PM	GOVERNMENTAL AFFAIRS	606 CLOB
2:00 PM - 3:00 PM	ENERGY, UTILITIES & TELECOMMUNICATIONS	403 CAP
2:00 PM - 3:00 PM	Interstate Highway & Beautification Subcommittee of Transportation	415 CLOB
2:00 PM - 4:00 PM	JUDICIARY CIVIL	132 CAP
3:30 PM - 5:00 PM	HUMAN RELATIONS & AGING	515 CLOB
4:00 PM - 5:00 PM	Republican Study	605 CLOB

* 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 www.house.ga.gov and click on [Meetings Calendar](#).